





THE
MEMOIRS
OF
GREGORIO PANZANI;
GIVING AN ACCOUNT OF HIS
AGENCY IN ENGLAND,
IN THE
Years 1634, 1635, 1636.

Translated from the ITALIAN ORIGINAL, and now First
published.

To which are added,

AN

INTRODUCTION and a SUPPLEMENT,

EXHIBITING

The State of the English Catholic Church,

And the Conduct of Parties, before and after that Period, to the
present Times.

By the Rev^d. JOSEPH BERINGTON.

BIRMINGHAM:

PRINTED BY SWINNEY & WALKER;

For G. G. J. & J. ROBINSON, and R. FAULDER, LONDON.

MDCCXCIII.





TO THE
CATHOLIC CLERGY OF THE COUNTY
OF STAFFORD,

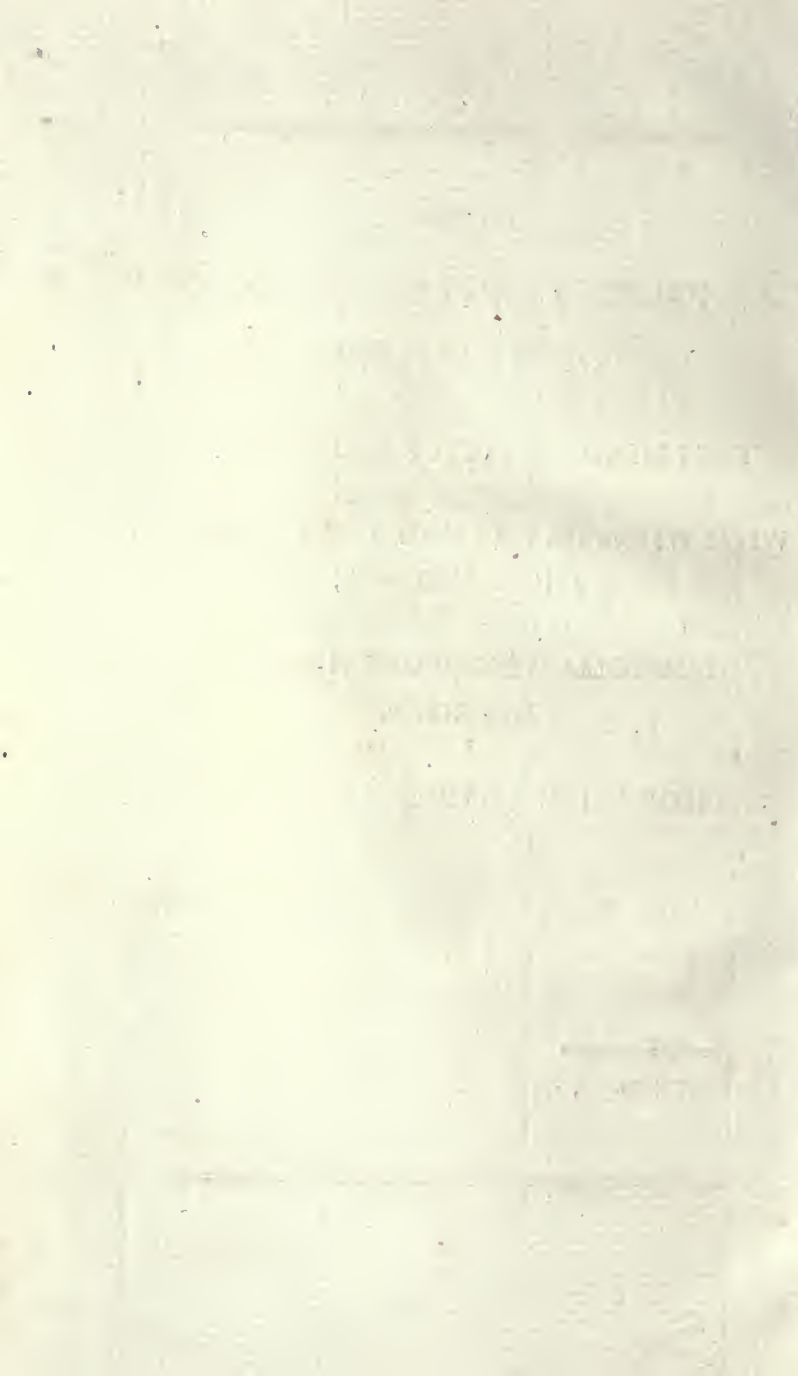
THE FRIENDS OF VIRTUE AND OF TRUTH,
WITH WHOM HE HAS HAD THE HONOUR TO
THINK AND ACT,

THE FOLLOWING WORK IS HUMBLY
INSCRIBED,

BY THEIR FAITHFUL FRIEND AND BROTHER,

THE AUTHOR.

OSCOTT, May 1, 1793.



P R E F A C E.

THE *Memoirs of Panzani*, which I now present to the public, have been long withheld, from motives, I think, of a false delicacy. He was an Italian clergyman sent into England by his holiness Urban VIII. in the year 1634, the ninth of Charles I. To compose certain differences, that had long divided the Catholics, particularly those of the clerical order, was the main object of his mission; in the prosecution of which, however, much incidental matter intervened, in which the court, some of the ministers, and others were personally engaged. Our historians, in general, seem to have known little of the transaction; and they who have said most, have proved themselves most ignorant.* It was natural that a business, in which a papal envoy, on one side, was the

* *Pope's Nuncio*, 4to. 1643. *Popish Royal Favourite*, by Will. Prynne, 1643.

principal agent, should, at that suspicious and jealous æra, be guarded with all possible secrecy.

Whether the *Memoirs* were written by Panzani himself, or composed from the materials he supplied, does not appear; nor is it of moment. Suffice it, that they are *authentic*; of which no one can doubt who, from contemporary writers, has examined the minute histories of the times. The transactions with which we are acquainted coincide with the statements of Panzani. Where no extrinsic vouchers appear, there is still ample evidence of their truth; for in matters of secret negotiation what more can be required, than the attestation of a creditable witness whom no facts or opposition of testimony contradict?

The original *Memoirs* were written in Italian and never published; of which, by means of “an eminent prelate of singular candour and scrupulosity,” then residing at Rome, our historian Dodd, some years ago

ago, procured an accurate translation.* The Italian MS. he observes, was not in above one or two hands. Of the translation Dodd published only some *extracts*,† from motives of a benevolent tendency, fearing lest the publication of the whole memoirs might prejudice the evil-disposed, as he says, still more against the memory of the unfortunate Charles, and from a delicate forbearance towards some societies of his own communion ‡ The first consideration, the reader from the perusal will find, bears no weight ; and to the second, at this time, he will not give a thought. Mr. Dodd, however, was extremely desirous of publishing these memoirs, in which he saw, he thought, many things that were interesting, and which would throw light on a dark and misrepresented period. He, therefore, brought the principal materials together under a new title, meaning to publish them as the *Memoirs of Windebank*, the secretary of state, who was much engaged in the transaction. I am

* See *Remarks* at the end of the *Memoirs*.

† *Records of Panzani*, vol. iii. p. 128.

‡ Vol. iii. p. 76.

in possession of his MSS. in this form, as also under the original title, of which I avail myself, subjoining to the text a few notes where the subject may seem to want illustration.

I am myself so satisfied of the *authenticity* of the memoirs, that I was not inclined to make any further enquiries; otherwise, by a direct application to Rome, I could have procured, I doubt not, an attested copy of the Italian original. This Mr. Dodd equivalently did; and on his accuracy and honour the most punctilious reader may rely. I will detain him, therefore with no unnecessary observations.

Mr. Dodd, who is not so generally known, to the protestant public, at least, as he merits, was a clergyman of the Roman church, who resided at Harvington, in Worcestershire, an old seat now belonging to the Throckmorton family, where he died about the year 1745. I can speak of his virtues which are recorded, of his talents which were eminent, of his labours in the range of literature which
were

were incessant and manifold. The work, that has principally given celebrity to his name, is a *Church History of England*, in three volumes *Folio*, from 1500 to 1688, chiefly with regard to Catholics. In the compilation of this work he spent almost thirty years. It contains much curious matter, collected with great assiduity, and many original *Records*. His style, when the subject admits expression, is pure and unincumbered, his narration easy, his reflections just and liberal. I have seldom known a writer, and that writer a churchman, so free from prejudice and the degrading impressions of party-zeal. But I am not sure, that his materials are well arranged. Indeed, he was himself, for a long time, so dissatisfied, as, with his own hand, to copy a work so voluminous, into two or three different forms. I think, I have seen three. There are many repetitions, which might have been avoided; but its main defect is the want of a copious *Index*. Of this I have had a painful experience,

The *History*, of which I am speaking, for many years was little known; but it

b 3 has,

has, at length, found its way into the libraries of the curious, and no copies have remained unfold. The reader will see what use I have made of it in the following pages; and I readily acknowledge my obligations.

Not long after the appearance of the two first volumes, a petulant and captious critique, under the title of *A Specimen of Amendments*, was published by *Clerophilus Alethes*, that is, — Constable a Jesuit, in 1740. It is extremely peevish, and malevolent as peevish, and weak as malevolent. He rebukes the clergyman principally for his commissions and omissions in regard to the fathers of the society. Them, he more than intimates, he should have never blamed; he should have loaded his page, from the pleasant histories of fathers More, Bartoli, and Juvency, with the edifying and wonderful, sometimes miraculous, events of their births, lives, and burials. With such materials as these, he observes, he might have compiled a history truly worthy of the notice of a christian reader!

Dodd, whose mind, it appears, was irritable, was not pleased, as, I think, he might have been, with this ludicrous attack. He was aware, that the cant of piety, and certain insinuations breathed with unctiōn, might at once, in the estimation of a misjudging public, blast his character and all the fruits of his thirty years labour. He, therefore, in 1741, replied to Constable, in a work entitled *An Apology for the Church History of England*. It is written with uncommon acuteness, keen discrimination, a brevity that impresses, and a ridicule that cuts. I only lament that his conscious superiority should have sometimes descended to asperities of language, and recriminating taunts, which prove that he did not sufficiently despise his adversary. The generous mastiff indignantly passes on, heedless of the curs that aim to annoy and tease him.

Other works have been ascribed to Mr. Dodd, of which, I believe he was the author, written too acrimoniously against the insidious conduct, as he deemed it, of the Jesuits in their transactions with
the

the secular clergy. He has also left behind him a variety of papers, some complete, some imperfect, on different subjects, all written with his own hand. Few men have been more indefatigable in research, and patient of that toil that wearies most in the walks of literature.

So much for Gregorio Panzani and Charles Dodd, whose name, as the reader is now sensible, is nearly connected with the *Memoirs*,

To the *Memoirs* I have prefixed an *Introduction* and subjoined a *Supplement*, which exhibit the state of the English Catholic church and the general conduct of parties, before and after the short period comprised in the memoirs, down to the present year. Something, I thought, was necessary to *prepare* the mind of the reader; and if, when I had gained his attention, I could lead him forwards to the contemplation of more recent occurrences, he would find, I flattered myself, some things not uninteresting. But I was not sensible that I should say so much, having, a few years before, traversed the
same

same ground, and found it barren.* My sources of information, however, were now more copious; and that must account to the reader for any departures from, or opposition to, the statements I had before given.

I know not that it is at all necessary, to speak of the authors or different records with which I was furnished. When I first quote them, invariably, I believe, I give, in a note, some account of their authors or contents. The MS. *Letters* of Dr. Allen and of many of his contemporaries, from which I could have drawn some curious facts, had my plan required it, were copied with an accuracy too minutely scrupulous, from originals and copies deposited in the library of the English college at Rome. The *Relation of the Regulars*, almost the whole of which I have given, was transcribed from the same place. The other MS. documents, I occasionally quote, are equally authentic. I wished to have obtained a sight of some
papers,

* *State and Behaviour of English Catholics*, 8vo. 1780.

papers, preserved, I understood, in the *archives* of our chapter, particularly of a *History of all their Affairs*, compiled by John Ward, their secretary, at the end of the last century. The liberty I requested was refused me, from the generous motives, I once thought, of the peevish animal who, lying in the manger, refused to let the patient ox, whom hunger pressed, feed on the food that was natural to him, and unnatural to the snarling tyrant that did but defile it by his presence. However, I am now told, that the valuable MS. cannot be found. I was, therefore, necessitated to make use of an *Adridgement*, extracted, I doubt not, very faithfully by the learned John Serjeant, and published in 1706.

It may be asked, as I invariably side with the secular clergy in all their controversies with the monastic orders, and as invariably censure the Jesuits, particularly father Parsons, why I have not been honest enough to consult their own authors?—Perhaps, I did consult them. The truth, however, is, that the principal

pal historians of the Jesuits, whose names I have already mentioned, (two of whom are foreigners, and the other is little esteemed) are acknowledged to be extremely partial; and though, as I am ready to admit, a sufficient degree of partiality may be found on the other side, I was yet disposed, as I could not free myself from all party-prepossession, rather to err, if I was to err, in favour of my own inclinations, than against them. But my deviations from the line of historic justice are not great: I am not even conscious that I have deviated at all. What really is the place of truth, in speaking of men and their transactions, I know it to be morally impossible to define. *Les choses de ce monde sont a facette*: look which way you will, some deception will attend you. To approximate to truth is all we can pretend to; and he is the best historian, who, from some accidental impression, perhaps, taking his bias, falls into the fewest errors.—With regard to the regulars, in general, of which corps the Jesuits were members, I have been laudibly candid, giving their own *Relation* of many events. I warned
the

the reader, indeed, to be on his guard, from the obvious impresson on my own mind, that there was little truth in their statements.

I have been severe, I admit, on father Parsons, and sometimes, on the general policy of the regulars. Under this consciousness, therefore, I have coolly reviewed my observations, when the warmth had subsided which naturally accompanies composition. But I see not much to censure : some things, perhaps, are improperly harsh, though warranted, to my apprehension, by the evidence of facts. One reflection only gives me pain, and that is, lest, from blaming freely, as I always do, what I judge to be reprehensible in the conduct of individuals, or the policy of certain communities, an inference should be wantonly drawn, that I am an enemy to whole institutes and all their component members. It is the *esprit de corps* that I condemn, all behaviour dictated by that spirit, and the individuals that it sways. Its influence, I think, has greatly actuated all the monastic orders,

as it obviously does all other societies of men, whom a common interest binds, whether of worldly politics or of religious economy. Father Parsons, it was evident, could sacrifice to it considerations of the most weighty import : I, therefore, deemed him most blame-worthy, and treated him as such. *De mortuis nil nisi verum* is the motto of historians. Whether with the predominating spirit, I am censuring, can consist real integrity of manners, and moral worth, I chuse not to define : but of this I am certain, that men of party unblushingly do, what, when taken out of that influence, they would reject with horror.

I shall be reproached with speaking too freely of the Roman pontiff, of his court, and of his sacred congregations.*

—I respect

* It is in these Congregations, 15, I think, in number, and which answer to our different departments or offices of state, that the business of the Roman court, in her concerns with Catholic Christendom, is transacted. A discipline, which may be termed *modern*, originating in the dark ages, multiplied those concerns to a vast extent. They now diminish. The Congregations *de prop. fide*, and of the *holy Inquisition*, are the two principal offices.—See the 4th and 7th *Discourses* of Fleury, also *Vera Idea della Santa Sede*, 8vo.

—I respect the Roman pontiff, his court, and his sacred congregations; but as neither he nor they are privileged from the errors, into which human passions and their politics precipitate the greatest men, I was, surely, at liberty to censure those errors, when they struck my eye with the broad light of noontide. I can excuse, I think, great misconduct, or not treat it very harshly, when it is conceded to proceed from the instigation of resentment, of ambition, or of interest; but when conscience is pleaded, and the sacred duties of religion, and yet such things are done, as the professed politician would blush to acknowledge, my indignation, I own, rises, and I express its strongest feelings. Such was, sometimes, my indignation, and I expressed it, while I traced with pain the hundred arts and domineering policy practised by the Roman court, in their transactions with the small remnant of the ancient British church. It is indecorous, truly, that the vicar of him who was meek and lowly of heart, and the professed descendents of fishermen, should assume the tones of worldly power and the maxims of worldly craft.

craft. To this, however, I will agree, that if, after having perused my statement of facts, and compared it with the guarded narration of the most devoted papist, the reflecting reader shall say, I have been unduly severe, I will acknowledge my fault, and be disposed (I think, I may be disposed) to write a treatise in favour of the pretensions of the Roman court, and the views of its fifteen congregations. To the jurisdiction of the Roman see and to the supremacy of its first pastor I bow with reverence; but neither with that jurisdiction nor with that supremacy, though they are sometimes sullied by the contact, has the court of Rome and its fifteen congregations any proper concern. These are human; they divine.*

It will be said, that I have dwelt, with a minute detail, on our ecclesiastical proceedings,

* I am projecting a work, which, if Providence shall give me life, I hope to be able to execute under the title of *The History of the Rise, the Greatness, and the Decline of the Papal power*. Nor am I sure, that the word *Fall* will not complete the title, if the present politics of Europe be not stemmed in their course, or the chivalry of France be broken. The first pastor, in my eyes, will be more venerable, when the Christian virtues, *Faith* and *Charity*, shall be the sole supporters of his chair.

ceedings, in the appointment of arch-priests, the nomination of bishops, (if so they might be called) the erection of their chapter, the manly conduct of this chapter, the final delegation of vicars apostolic, and the characters and behaviour of these venerable men.—I own it; for it was to trace these various events, with all their concomitant circumstances, which was a part of history, I was aware, little known, that I undertook to disturb the dust of records. When my brethren, I said, shall be informed by what means, and in the face of how dignified an opposition, their present ecclesiastical government was established, they will view it, perhaps, with a less partial eye, and be disposed to reform what is abusive.—With the same motive, I strongly marked, what I conceived to be, the original mistake in erecting houses for foreign education, the evils they gave rise to, and the error of persevering in the measure.

But to complain of evils, and not suggest a practicable remedy, might justly be deemed idly querulous: I, therefore,
before

before I closed my observations, presumed to delineate a sketch of two plans, which, if adopted, would tend to correct the main grievances under which we internally labour. May I request the reader not to throw by my book, till once, twice, and thrice, divesting himself of all party-prepossession, he has maturely weighed those plans ?

And here, I think, the curtain might drop ; but I am requested to subjoin a few additional observations. They shall be as brief, as possible.

A work has been put into my hands, lately published, entitled, with a motive of charming benevolence, *Ecclesiastical Democracy Detected*. I read it, rather I ran through it, as was natural, when every step was painful. The terms most familiar with the gentle author,* who styles himself *reverend*, are *heretic*, *schismatic*, *impostor*, *hypocrite*, not always broadly spoken, the two last I mean, but palpably

* The Rev. John Milner, F. A. S.

implied; and even more than this, for it may be that the curious antiquary (he is a *fellow* of the antiquarian society) has found in the vocabulary of the banks of the Thames something *aboriginal* on which to feed his appetite. Take a sample. “ But
 “ how shall I follow my adversary through
 “ all the *glaring inconsistencies, malicious*
 “ *misrepresentations, and unblushing false-*
 “ *hoods, which he has heaped together?*”*
 The man that uses this language is neither a gentleman nor a Christian. Whether the water-nymphs, I alluded to, would take him for their chaplain, I know not: sure I am, that communities of a better polish and of better principles must be shocked by his intemperate effusions. And what, after all, was the provocation that instigated the *fellow* thus to throw about his flink-pots?

Sir John Throckmorton, a *gentleman* of large fortune, and of amiable manners, a *man* of great mental endowments, a *scholar* deeply read, a *citizen* devoted to his country,

country, a *christian* in practice as well as theory, a *Catholic* enlightened in his belief and sincere in his conviction, Sir John Throckmorton, a few years ago, addressed a *letter* to the clergy of his own communion *on the appointment of bishops*. He had seen, with some emotion, two recent instances, in which, it appeared, the court of Rome had delegated two vicars apostolic, at that time, not favoured by the general wishes of the districts, they were appointed to govern. Versed in the maxims and practices of the best æra of Christian discipline, to the study of which the circumstance of his being a member of the Catholic committee had led him; Sir John viewed the extraordinary delegation of the two vicars as a departure from the usages of venerable antiquity; and, under that impression, it was, that he wrote his *letter*. In it he advised the clergy to assume, what he deemed, a better spirit, and to return to the ways, so they seemed to him, of their ancestors. The *letter* was read; was approved and disapproved;

proved; and would soon have sunk into oblivion, as is the common fate of such essays.

The *fellow* of the Antiquarian Society came forward: He was *answered* by Sir John: the *fellow* rejoined: was again replied to: and then appeared this masterpiece of good-breeding and Christian forbearance, *Ecclesiastical Democracy Detected*.*

The reader need not be told, that, with each new publication, much new matter was collected: for controversy, as the snow-ball, always picks up as it advances. It concerns not my purpose to discuss the merits of the publications, or of the cause in debate: nor am I a competent judge. With the works of Sir John I am acquainted; but of the *fellow's* I have only tasted the spirit. This
told

* I have seen a *Pastoral Letter*, which enumerates and solemnly censures the erroneous assertions of the Baronet, to which *letter* this work of the antiquary seems to have been meant as a *prologue*. Can the reader tell, why that *pastoral* brings to one's mind the title of a merry play in Shakspeare?

told me, as I observed, that he was neither a *gentleman* nor a *Christian*. To the first character, probably, he does not pretend; but he should, in this æra of the world, strive to be a *Christian*.

There was a society of men, of whom we read much in an old book, called the *Testament*, with which, as it is *old*, I marvel our antiquarian *fellow* is not better acquainted, that is, from admiration, at least, of the venerable stamp with which time has marked it, that he has not imbibed some portion of its maxims. That society of men were called *Pharisees*. They were extremely popular in their day, and they led the fashions and taste of their countrymen. But as, in the line of morals and religious belief, they built much on human traditions, on outward forms, on the observances of days, on faith unincumbered by works, and on a flattering complacency of judgment, that, for these things, they were the chosen friends of heaven and better than other men, when the divine founder of Christianity appeared amongst them, their cant of holiness and ostentatious presumption,

presumption, so adverse to the native simplicity of truth, roused his warmest indignation. He pointed the keenest shafts of censure against their arrogance, aware that if their maxims could stand, it would be even vain to sow the seeds of a heavenly doctrine. On no occasion, therefore, did he spare these men, and he, who was gentleness and charity, became indignant and irresistible in reproof, to stem the spreading contagion of their lessons. In many passages of the gospels, but particularly in the 23d chapter of St. Matthew, is a whole-length portrait of the Pharisees drawn, to the contemplation of which I refer our *antiquary* and some other modern christians.

For the family of Pharisees is not yet extinct. We have men that sound their own trumpets, that place themselves in the seat of Moses, that make broad their phylacteries and enlarge the borders of their garments, that love to be called masters, that shut up the kingdom of heaven against men, that make long prayer, that compass sea and land to make proselytes, that pay tithe of mint,
and

and anise, and cummin, omitting the weightier matters of the law, that strain at a gnat, and swallow a camel, that make clean the outside of the cup and of the platter, that trust in themselves as righteous, and despise others. We have such men; and I cannot avoid thinking, judging from their fruits which unerringly denote the good and bad tree, that they who talk as the *fellow* of the antiquarian society talks, and he, by no means, talks alone, are the genuine offspring of the Pharisees. They blazon their *faith*, and they make wide their *hope*, but the greatest of these is *charity*, which, evidently, they have not. I am, then, authorised to say, that they are not *Christians*, for they want the virtue that is *essential* to its nature. Can there be a man that is not a *rational* animal; or a brute that is not *sensitive*? They speak loudly, it is true, of their *orthodoxy*, that is, they make broad their *phylacteries*; they proclaim their *submission* to authority, that is, they pay tithe of mint, of anise, and cummin; they extol their own *righteousness*, that is, they clean the outside of the cup and of the platter; they talk with
unction

unction of the *love of souls*, that is, they compass sea and land to make profelytes to their own opinions: while the men they despise, whom they call *heretics* and *schismatics*, believe what, on the authority of revelation, is proposed to be believed, and, neglecting the traditions of men, emulate better gifts. I have seen these give meat to the hungry, and drink to the thirsty; take in the stranger, and clothe the naked; visit the sick, and relieve the prisoner. When all nations shall, therefore, be gathered, we know where their place will be, and what their reward.

I have been more serious on the occasion, than, I thought, I could have been; but it is not without motive. And should it be retorted on me, that, by these remarks, I prove myself as *uncharitable* as the men I censure; I beg leave to refer to the *fruits* of the tree, which I have just mentioned, those unerring guides to judgment.

“ He who knew what was in man, need-
 “ ed not any should inform him concern-
 “ ing man:” and he who hears what the mouth uttereth, may safely pronounce on the

the abundance of the heart. I am willing to be thought *uncharitable* with the divine master of *charity*.

The antiquary, some few years back, published *Exclamations of the soul to God, or Meditations of St. Teresa*, prefixing to them an introductory *preface*, full of abuse and scurrility, chiefly poured out on me. The frontispiece, if I remember well, was a pretty device—the Saint, in the brown habit of her order, seated in a chair of Gothic carpentry, the accompaniments all Gothic, with eyes in a fine phrenzy fixed. It was ingenious, surely, to couple with the effusions of real piety the effusions of real rancour: but the *fellow* is ingenious.

He has, likewise, very lately entertained the public (but I have not the title of the book) with something, I am told, like the story of the renowned *St. George and the Dragon*, against the assertions of Edward Gibbon, Esq. Such labours are innocent; and should scurrility load the page, the *dragon*, it must be allowed, is a more proper vehicle for abuse, than the *meditations* of St. Teresa. He may next undertake

undertake the achievements (they will be no disgrace to antiquarian research) of *Guy earl of Warwick and the Dun Cow*, and make the champion or the cow porters of such other malevolent remarks, as he may then have collected, against *heretics* and *schismatics*, that is, against Sir John Throckmorton and myself.*

There

* In a Note of his *Democracy*, (by the way, the fellow has no *Aristocracy* in his manners,) he honours me with observing, that I am no orthodox Catholic, that I do not know my religion, that in the *History of Henry II.* I have mutilated the *Constitutions* of Clarendon, that I am an ever varying and inconsistent author, that I degrade my native talents, and dispositions to do good, by inculcating erroneous opinions: And then, "It is hoped, he says, " that when he (I) seriously reflects on the " detriment he has done to the souls of many, by the errors in " question, he will add one more work to the list of his publications, under the title of *Retractions*."

Will the reader kindly look back to my observations on the family maxims of the Pharisees? After that, I shall only remark that, in what he says about the *Constitutions* of Clarendon he shews himself to be a very ignorant fellow. An antiquary should know *when* Matthew Paris lived, and, therefore, what is his comparative authority. But it rejoices me to hear that, in *his* estimation, "I have done detriment to the souls of many;" because, in that case, I know, I have essentially served them; I have opened to them the realms of truth. As to a book of *Retractions*; perhaps, some years hence, I may write one, to shew the progress I have made since, about twenty years ago, I commenced author.

There is another priest,* lineally descended from the same Jerusalem stock, and even more true to the principles of his tribe, than the *fellow* I have just parted from. I would not notice him; but my silence, I am told, would be deemed a rudeness.—We saw him, some time ago, rising, as he more than intimated, “from the duty of recollection and self-examination, at the foot of his crucifix,” to spread from the press defamation and abuse. The wits have named him *Tartuffe*, from the resemblance, they noted in him, to that eminent personage on the old French stage. His sanctimonious air and oily diction veil a mind of artifice; and, at a distance, may be heard the sounding brass and the tinkling cymbal. “Brother,” says he, stretching out his hand, “let me pull out the mote that is in thine eye; while the beam that is in his own eye he considereth not.” I think, without any effort of fancy, I can see this man pass by, whilst he, who had
fallen

* Rev. Charles Plowden, a *fellow* of the fallen society of Jesus.

fallen among thieves, lay wounded on the road between Jerufalem and Jericho. “ And by chance there came down a *certain priest* that way; and when he faw “ him, he paffed by on the other fide.” It is true, by a laudable anticipation of future days, he might be bufied in preparing a gay pofey of devotion to the *fa-cred heart of Mary*,* heedlefs of earthly objects. When I once obferved to *Tartuffe*, that, from fome circumftances, it appeared, he was actuated, in his writings, by a fpirit of refentment. “ Such may “ be the appearances,” he answered, “ but “ when I took up my pen, I affure you, “ *I purified my intention.*” Reader! doft thou underftand this caftuiftry, the moft apt of all to cover the commiffion of crimes? I know not that they, who fat in
the

* A modern *devotion*, and which, with many others, to the difgrace of real religion, has been invented in our church from fordid and fuperftitious views. To this day they hold their ground: even the moft active means are *now* ufed to fpread them. I have feen a forry tale on the advantages of the *Scapular*, unblufhinglly, thruft into the hands of the multitude. From fuch *practices*, let me inform certain guardians of the flock, more is to be feared, than from any innocent *theories* that may amufe the learned.

the chair of Moses, possessed an ingenuity that could reach to this commodious latitude. “ It is true,” says the assassin, “ I did cut the man’s throat ; but I *purified* my intention, as I drew the knife.”*

To the antiquary I kindly observed that, as he had spoken so characteristically, I thought, he might fairly be recommended to the chaplaincy of Billingsgate: And so I still think: but as it might be well to procure the establishment of a see there dignified with a complete hierarchy, will it be deemed *schismatical*, if I propose his elder brother as the properest candidate? By a combined influence, they may escape the crying sin of a popular election; and when the merits of the candidate shall be detailed (he understands the method) by the antiquarian orator in person, all opposition, I am sure, will be calmed, and the sisterhood, with the ejaculations of an approving complacency, receive their worthy pastor.

Then

* See this doctrine of *Intentions* admirably detailed in the 7th letter of Pascal. Read, at the same time, letters 15 and 16, on the best arts of *calumny* and *scandal*.

Then, taking his stand at the corner of some street, while the trumpet sounds before him, he may pray, making broad his phylacteries; and the chaplain, meanwhile, shall draw motes from the eyes of the passengers, or amuse them with straining at gnats, and swallowing camels.

Having completed his *libel* against the gentlemen of our late committee, Tartuffe (the name is patronymical not opprobrious) assailed me in a pamphlet of some length, denouncing all my errors. I have never read it, nor ever shall; but I hear it is written in his best manner. I am not inclined, unnecessarily, to expose my mind's peace, by the perusal of such personal invectives; to draw any benefit from them, is not possible; reply to them I will not. In a word, my religion, I solemnly declare, is not his or that of his admirers: I profess myself the disciple of a better master, of him who was the friend of man, who was the foe of Pharisaical hypocrisy, and who raised the noble fabric of a divine religion on the broad basis of universal charity. Why then has the
officials

PREFACE.

xxxv

officious priest obtruded himself on me?
I will speak of him in the words of the
amiable Metastasio:

Se'l mosse
Leggerezza; no'l curo:
Se Follia; lo compiangio:
Se Raggion; gli son grato: e se in lui sono
Impeti di malizia; io gli perdono.*

* If levity moved him; I care not: If folly; I pity him:
If reason, I thank him: And if malice goad the holy breast;
I forgive him.

ERRATA.

ERRATA.

Page 100 — line —	2 —	for 1644 —	read 1634.
— 269 ———	7 —	for real —	zeal.
— 323 ———	9 —	for Serne —	Kerne.
— 331 ———	25 —	for double —	doubled.
— 337 ———	28 —	for affected —	effected.
— 352 ———	10 —	for Dadde —	Dadda
— 400 ———	15 —	for Arnald —	Arnauld.

CONTENTS.

C O N T E N T S.

I N T R O D U C T I O N.

*From the beginning of the reign of Elizabeth, an. 1558,
to the appointment of the archpriest Blackwell, an. 1598.*

THE opening of Elizabeth's Reformation, 1.—
Imprudence of Paul IV. 3.—The supremacy of the
crown established, 4.—The bishops and some of the
clergy refuse the oath and are deprived, 11.—Con-
duct of others, 15.—Behaviour of the laity, 17.—
Many of the clergy retire abroad, 19.—William
Allen, 20.—Father Parsons, 24.—Foreign connec-
tions the principal cause of our grievances, 29.—
Designs of father Parsons, 36.—The clergy, aware of
d those

those designs, project a plan for their own government, 40.—They are successfully counteracted, 44.—Mr. Blackwell chosen archpriest, 48.

From the appointment of the archpriest Blackwell, an. 1598, to the nomination of the bishop of Chalcedon, an. 1623.

Repentment and proceedings of the clergy, 53.—Their deputies arrive at Rome and are imprisoned, 57.—The pope confirms the appointment of Blackwell, 58.—The deputies are released, 59.—The clergy still discontented appeal to Rome, 60.—Brief from his holiness, 62.—Another Brief, 64.—Reflections, 65.—Protestation of allegiance presented by thirteen priests, 69.—King James's abhorrence of the deposing doctrine, 73.—Oath of allegiance, 75.—Condemned at Rome, 76.—Distress of the Catholics, 77.—Writings for and against the oath, 78.—Blackwell deposed and succeeded by Birket, 79.—Parsons corresponds with Birket, and dies, 81.—Death of Birket, 84.—Priests suffer and die in defence of the papal prerogative, 85.—Dr. Harrison succeeds to Birket, 87.—He aims to free the clergy from the controul of the Jesuits, 87.—The clergy again resolve to apply to Rome for a bishop, 92.—Mr. Bennet presents a strong memorial, 95.—Dr. Bishop is nominated to the see of Chalcedon, 98.

From

*From the nomination of the bishop of Chalcedon, an. 1623,
to the agency of Panzani, an. 1634.*

Extent and nature of the powers granted to the bishop, 100.—He is well received and institutes his chapter, 102.—Reflections on our new hierarchy, 105.—The bishop of Chalcedon dies, 107.—Dr. Richard Smith is appointed his successor, 107.—Powers of the new bishop, 109.

MEMOIRS OF PANZANI.

Introduction, 113.—Controversy between Dr. Smith, bishop of Chalcedon, and the regulars, 119.—The controversy engages the French divines, 124.—The pope interposes, 126.—Proceedings against the bishop, 128.—He is compelled to withdraw into France, 130.—His holiness sends Panzani into England, 131.—Panzani describes the general state of things in a letter to Barberini, 134.—Disputes about the oath of allegiance, 140.—The agent has two interviews with secretary Windebank, 142.—He treats with the regulars, and projects a plan for a bishop, 147.—Character of the Jesuits and Regulars, 150.—The puritans discover Panzani, 153.—The cause of the Elector Palatine is proposed to him, 154.—Deep policy of Rome exhibited in a letter from Barberini, 155.—The king and Panzani meet, 160.—He confers with Windebank on various matters, 162.—Father

Philip discourses with the king on the reunion of the churches, 165.—A work of father Davenport pleasing to the king, gives offence at Rome, 165.—Windebank's opinion of the Jesuits, 168.—Anecdote respecting father Garnet, 170.—The cardinal sends instructions to Panzani in three letters, 171.—Panzani complains to him of the Jesuits, 174.—Is perplexed in a conference with the Secretary, 176.—The king is irritated, 177.—Panzani again complains of the Jesuits, 177.—Converses with Cottington about a bishop, 180.—And discovers the real sentiments of the Catholics on the subject, 181.—New scheme for a bishop, 184.—The king refuses to admit a bishop, 185.—Project of a reciprocal agency, on which father Philip writes to Barberini, 186.—The king comes into the project, 189.—Mr. Montague, 190.—Mazarin is made acquainted with the scheme of the agency, 192.—Barberini sends presents to the queen, 194.—Mr. Brett is appointed agent to Rome, 197.—Conversation between Cottington and Panzani, 200.—Barberini writes to the latter, 202.—Persons proposed for agents to England, 204.—The cardinal's caution, 205.—The king's instructions to Mr. Brett, 206.—Barberini's sentiments respecting the family of the elector Palatine, 207.—Difficulties in the proposed match, 209.—Mr. Brett's death and other obstacles to the agency, 210.—Mr. Montague endeavours to obtain a cardinal's hat for Mr. Conn, 211.—Returns to the English court, 215.—The clergy and regulars are reconciled, 217.—The Jesuits only stand out, 219.—Father Blond's conduct, 221.—Gives offence, 222.—The clergy shew their desire of peace, 225.—Panzani and the Provincial meet, 227.—Behaviour

viour of the Roman court, 228.—Panzani expostulates with the cardinal, and mentions other matters, 229.—The cardinal replies, 232.—Mr. Hamilton and Mr. Conn named agents, 233.—The Jesuits particularly are dissatisfied with the agency, 235.—The bishop of Chichester and Panzani confer, 237.—The agent is directed to compliment the bishop, 239.—And receives other instructions, 240.—Has another conference with Montague, 241.—Dissatisfaction of Windebank, 244.—Third conference with the bishop of Chichester, 246.—The pursuivants are dismissed, 249.—Barberini, in acknowledgment, sends other presents to the queen, 250.—Hamilton goes to Rome, and has an audience of his holiness, 252.—And of the cardinal, 253.—Conn comes to England, 255.—Panzani takes leave of their majesties, 255.—

SUPPLEMENT.

From the close of the agency of Panzani, an. 1636, to the appointment of apostolic vicars in the reign of James II.

State of the nation and the English Catholics, 264.—Exemptions of the Regulars, 269.—Rome favourable to them, 273.—Feudal nature of church government, 275.—The Chapter, 276.—Sufferings of many Catholics, 278.—Death of the bishop of Chalcodon, 287.—The chapter assumes jurisdiction, 292.—Mr. White, *alias* Blackloe, 293.—Proceedings of the
the

the chapter 295.—State of the Catholics under Cromwell, 293.—The chapter continues to apply for an *ordinary*, 301.—Reflections, 307.—Some transactions of the reign of Charles II. 308.—The controversy on the oaths revived, 319.—End of Charles's reign, 326.—Reign of James II. 327.—Particulars of the appointment of the first *vicar apostolic*, 336.—Reflections on that appointment, 343.—Further proceedings of the king, 345.—The pope's nuncio is received at Windfor, 351.—Father Petre, 352.—Dr. Giffard made an apostolic vicar, 361.—The last year of king James, 162.—Two more apostolic vicars appointed, 365.

From the appointment of vicars apostolic in the reign of James II. to the present year 1793.

The revolution not unfavourable to the Catholics, 369.—Government of the vicars apostolic, 372.—King James, 376.—Proceedings of the chapter, 378.—Its jurisdiction suspended, 387.—Treatment of the vicars by the Roman court, 392.—The 11th of king William, 392.—Reign of Anne, 394.—The secular clergy accused of *Jansenism*, 396.—The college of Douay involved in the same accusation, 401.—Both acquitted, 404.—Reign of George I. 405.—Rome proposes an oath of allegiance, 405.—Dr. Strickland bishop of Namur, 408.—Severe treatment of the Catholics, 409.—Reign of George II. 411.—Controversy between the vicars and regulars, 413.—
Bishop

CONTENTS.

xliii

Bishop Stonor, 418.—The other vicars, 419.—Apprehensions of the clergy, 422.—Oath of allegiance in 1778, 425.—More recent events, 429.—Case of Mr. Wilks, 436.—Is supported by a few of the clergy, 439.—They are opposed from the western district, 441.—The answer from the western district examined, 442.

CONCLUSION.

Reflections on our present situation, 450.—Education should be adapted to it, 452.—A scheme proposed, 456.—Evils of our church government, 459.—Proposals for its reform, 465.—Character of bishop Talbot, 468.—Plan for a reform sketched, 469.

INTRODUCTION.



INTRODUCTION.

From the beginning of the reign of Elizabeth an. 1558, to the appointment of the archpriest Blackwell, an 1598.

THE various changes which the public mind had witnessed, through the reigns of Henry, Edward, and Mary, had so completely, by dissipating old attachments and weakening the prejudices of early education, prepared the people for any further change, that, on the accession of Elizabeth, without any reluctance, they quitted the religion of their ancestors, and accepted the new settlement that finally closed the *Reformation*. The nobility, indeed, and gentry, whom the spoils of the church had enriched, were *interested* in the event; and the multitude had listened, with an increasing alienation of mind, to the ridicule thrown on

The opening
of Elizabeth's
Reformation.

A

their

INTRODUCTION.

their former practices, and to the invectives against the Roman see and the jurisdiction of its pontiff, while the horrors of the last reign had contributed, perhaps, more than any other cause, to produce the general effect I am describing. Many, however, in the higher orders, and in the lower ranks, stood unmoved; and the bishops, with some of the leading and learned clergy, set an example of firmness, which was viewed with amazement by those, who remembered, with what ease, the same order of men, but a few years before, had adopted more violent and irregular innovations.*

The queen, whom no motives of interest or education could have cordially attached to the religion of her late sister,† seemed disposed to listen to the voice of prudence and policy, and to pursue such measures as, agreeing best with the wishes of her people, should hold out the surest prospects of terminating their differences, and of giving stability to her throne. Yet there were many things, we are told,

* In the reigns of Henry and Edward.

† She had been treated by her with great severity, being suspected of attachment to the reformed religion, and of having encouraged Wyatt's insurrection. Camden, Heylin.

INTRODUCTION.

told, in the old religion which she admired; and could she have foreseen the success of a rising faction, which acquired the name of *Puritans*, and which soon became so troublesome to herself, and at last so fatal to the throne of one of her successors, it may, with reason, be presumed, that, in establishing the reformation, she would either have adopted the tenets of her father Henry, or have departed, probably, even less from the rites, if not from the doctrine, of the Roman church. But, whatever might have been her first sentiments, Paul IV. soon took care to fix her resolution; and to him, perhaps, in the wayward series of human events, may be imputed the defection of England from the communion of Rome.

On the death of her sister, Elizabeth, through the English resident at Rome, Sir Edward Carne, notified to his holiness her accession to the throne. The stern pontiff replied: "That the kingdom of England was a fief of the holy see; that Elizabeth was a bastard, and had no right to the succession; that he could not annul the decrees of Clement VII. and of Paul III. with regard to her father's marriage; that it was an act of signal audacity in her to have assumed the title of queen, without his participation; that thus she was undeserving of the smallest indulgence; yet, if she would renounce her

Imprudence
of Paul IV.

" preten-

A 2

Imprudence
of Paul IV.

“pretensions, and submit to his free disposition, he would treat her with the kindness of a father, and do her every service which should be compatible with the dignity of the vicar of Christ.”* — Thus spoke the haughty Paul, true to the maxims of Hildebrand, even after the lapse of five hundred years! And when the answer was reported to Elizabeth, she must have seen that the admission of such a monstrous prerogative could not consist with the safety and independence of her throne. If in high and indignant resentment she then made her choice, and if that choice proved subversive of a religion, the professors of which could suffer their first pastor so to think, or so, at least, to speak, I may be sorry, but I cannot be surprisèd.

The supremacy of the crown established.

The new parliament met, modelled according to her own desires, and prepared to go all the lengths of those profound and sagacious politicians, the queen's principal advisers, who now came forward on the scene.† The first act recognised her title to the throne; which being followed by some others, with a view to feel

* Heylin, p. 275. Dict. des Hérésies, t. 1, p. 116.

† Heylin, p. 279.

feel the dispositions of parliament on the subject of religion, both houses proceeded to the grand question of the *Supremacy*, that is, in the language of the statute, *To restore to the crown the ancient jurisdiction over the estate ecclesiastical and spiritual; and to abolish all foreign powers repugnant to the same.*—After warm debates and strenuous opposition, especially from the bishops in the upper house, the act passed with its *oath*, repealing whatever the late king Philip and queen Mary, by their parliament, had done in favour of the jurisdiction of Rome, and reviving all such laws and statutes as her father Henry and his son Edward, by their parliaments, had enacted for the overthrow of the same; and thus uniting and annexing to the imperial crown of this realm such jurisdictions, privileges, superiorities, and preheminences, spiritual and ecclesiastical, as by any foreign spiritual or ecclesiastical power or authority had heretofore been exercised or used. In the oath the queen's highness is styled *the only supreme governour of this realm, as well in all spiritual and ecclesiastical things or causes, as temporal.* Whoever refused this oath is declared incapable of holding any public office. The act then states that whoever denied the queen's supremacy, as by law now established, or attempted to deprive her of that prerogative, should, for the first offence, forfeit all his goods and chattels; for the second, be subjected to the penalty of a

A 3 premunire;

premunire ; and for the third, be guilty of high treason.*

This famous act was followed by others of a similar complexion, all tending to strengthen the new powers of the crown, and to give energy to the plan of reformation, when, on the 8th of May 1559, the parliament was prorogued, having, in a single session, without violence or tumult, altered the whole system of religion, in the commencement of a reign, and by the will of a young woman, whose very title to the throne was by many thought liable to objections.

But while the representatives of the people, and the lords were thus busied, both houses of Convocation, called together by the royal summons, had, with anxious expectation, watched the rapid progress of this lay-reform. Their opposition to every act was steady and uniform; and the lower house drew up and signed a *Declaration*, expressive of their orthodox belief in the holy sacrament, in the mass, in the jurisdiction of the successor of St. Peter, and in the authority of the pastors of the church, which was presented to the lord keeper
Bacon,

* I. Eliz. cap. 1.

Bacon, by Bonner, president of the synod. At the same time, both universities, under the hand of a public notary, declared their assent to the same articles. The solemn instrument, as delivered into parliament, is still upon record;* and it must remain to posterity a standing proof, that so far, at least, the reformation had proceeded *reclamante clero*.

It is not my intention, though the occasion be most favourable, here to examine the nature and extent of that *supremacy* which the legislature annexed to the crown. Suffice it to observe, that the notions of all men were then indistinct on the subject: for so universal and undefined had the power of Rome been, call it ecclesiastical or spiritual; so much had it absorbed within its cognizance all the concerns of life, that the primitive rights of a first bishop could with difficulty be traced, and the whole fabric of his jurisdiction seemed rather to be the contrivance of human ambition on the one side, and of weak concessions on the other. How then should a state proceed, now convinced that such a paramount jurisdiction was incompatible with its sovereignty, than at once to break down the whole mass, (conscious,
at

* Fuller's Hist. l. 9, p. 54.

at the same time, that their decrees would not affect what was really divine and primitive, and that a jurisdiction so defined could excite no jealousy,) and commit any ambiguity of expression to the interpreters of the law, should an interpretation be afterwards deemed necessary. Under this view, I believe, many moderate men then patronised the scheme, and the legislature of Elizabeth proceeded.

The queen, by a clause in the act, empowered to name commissioners, erected the court of *high ecclesiastical commission*, whose office it was to execute the late decrees of parliament, in the general reformation of the church and clergy. The agents of no popes had possessed such discretionary and independent powers. To these commissioners, fourteen in number, (of whom one only was a churchman,) Elizabeth, in virtue of her supreme ecclesiastical jurisdiction, entrusted also a body of *injunctions*, containing rules of discipline and of general order, and to which was annexed an *admonition*, designed to explain the oath and to remove from it every sinister interpretation. The admonition is :

The queen's majesty being informed that, in certain places of this realm, sundry of her native subjects being called to ecclesiastical ministry in the church, be, by sinister persuasion and perverse construction, induced to find some scruple

scruple in the form of an oath, which, by an act of the last parliament, is prescribed to be required of diverse persons, for the recognition of their allegiance to her majesty, which certainly was neither ever meant, nor by any equity of words or good sense can be thereof gathered: would that all her loving subjects should understand, that nothing was, or is, or shall be meant or intended by the same oath, to have any other duty, allegiance, or bond required by the same oath, than was acknowledged to be due to the most noble kings of famous memory, king Henry VIII. her majesty's father, or king Edward VI. her majesty's brother. And further, her majesty forbiddeth all manner her subjects to give ear or credit to such perverse and malicious persons, which most sinisterly and maliciously labour to notify to her loving subjects, how by the words of the said oath it may be collected, that the kings or queens of this realm, possessors of the crown, may challenge authority and power of ministry of divine offices in the church, wherein her said subjects be much abused by such evil disposed persons. For certainly her majesty neither doth, nor ever will, challenge any other authority, than that was challenged and lately used by the said noble kings of famous memory, king Henry VIII. and king Edward VI. which is and was of ancient time due to the imperial crown of this realm; that is, under God, to have the sovereignty and rule over all manner of persons born within these her realms and dominions and countries, so as no other foreign power, shall, or ought to, have any superiority over them. And if any person that hath conceived any other sense of the form of the said oath;
shall

shall accept the same oath with this interpretation, sense, or meaning; her majesty is well pleased to accept every such in that behalf as her good and obedient subjects, and shall acquit them of all manner of penalties, contained in the said act, against such as shall peremptorily or obstinately refuse to take the same oath.

This interpretation of the oath was afterwards repeated in the declaration enjoined to be read by the ministers of the church, before the thirty-nine articles were framed, and of these articles the thirty-seventh says: *we give not to our princes the ministering either of God's word or of the sacraments, the which thing the injunctions lately set forth by Elizabeth our queen do most plainly testify; but that only prerogative which we see to have been given always to all godly princes in holy scriptures by God himself, that is, that they should rule all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and evil doers.* — The same sense was finally settled by act of parliament in the fifth year of her majesty: *Provided also, (says the act,) that the oath expressed in the said act, made in the first year, shall be taken and expounded in such form as is set forth in an admonition annexed to the queen majesty's injunctions, published in the first year of her majesty's reign: that is to say, to confess and acknowledge in her majesty, her heirs and successors, none other authority than that was challenged and lately used by the noble king Henry VIII. and Edward VI. as*

in

in the said admonition more plainly appears. —*
But to proceed.

The commissioners began their progress through the nation, tendering, as they advanced, the *oath*, and directing the execution of the laws and of her majesty's *injunctions*.

The number of bishops was then greatly reduced, being no more than fifteen, including Heath, archbishop of York; and when, in the beginning of July, they were required to take the oath as the law directed, all, but Kitchen of Landaff, refused compliance. "He," it is said, "who had formerly submitted to every change, resolved to shew himself no *changling*"
" in

The bishops and some of the clergy refuse the oath of supremacy and are deprived.

* Many works, in defence of the oath, were written in the course of the last century, one of which, a MS, I mean to publish. It will shew, with great accuracy of deduction, what has been the legal acceptance of the oath from its enactment to the end of the reign of Charles II. from which period, I will endeavour to bring down the same series of proof to our own days. The reader will find the subject very ably treated in a work lately published by Mr. Francis Plowden, entitled *Jura Anglorum*, to the perusal of which I strongly recommend him. — Just notions of the *oath of supremacy* are become peculiarly important to us, as it alone withholds us from the exercise of our *elective franchise*: and why should we importune government for a further redress of grievances, or complain that we are aggrieved, if the remedy be in our own hands? One bold man, by taking the oath, may dissipate the whole charm of prejudice, and restore us to the most valuable privilege of British citizens.

“ in not conforming to the pleasure of the
“ higher powers.”* The bishops were de-
prived; and their deprivation was accom-
panied by various fates, which a general lenity,
however, softened, as the interest of friends
prevailed, or their own inoffensiveness of
conduct solicited. — Heath retired to one of his
own houses in Surrey, where he lived unmo-
lested, respected by his neighbours, and often
visited by the queen. Tunstall of Durham,
and Thirlby of Ely were entertained in the
palace of Lambeth, and Bourn of Wells in the
house of the dean of Exon. White of Win-
chester, after a short imprisonment in the
tower, was suffered to retire among his friends;
which indulgence was also allowed to Turber-
ville of Exeter, a gentleman of ancient descent.
Watson of Lincoln, after a short restraint,
spent his time with the bishops of Rochester
and Ely; but being accused of practising
against the state, he was finally committed to
Wisbich castle. Oglethorp of Carlisle, soon
after his deprivation, died of an apoplexy,
Bayne of Lichfield of the stone, and Morgan
of St. David's of some other disease; but all
of them in their beds, and in perfect liberty.
Poole of Peterborough resided with his friends,
and

* Heylin, p. 286.

and died on one of his own farms; and Christopherfon of Chichefter experienced a like indulgence. Bonner of London alone, whose cruelties in the laft reign had expofed him to general indignation, was doomed to perpetual confinement. Pates of Worcefter, before the oath was tendered to him, had quitted the kingdom, as had Goodwell of St. Afaph's, who retired to Rome.*

The oath was next offered to the deans and dignitaries, and then to the rural clergy; and, as confcience or as particular views directed, they refufed or took it. But for that refufal, or for not conforming to the public liturgy, only 80 rectors and vicars feem to have loft their preferments, 50 prebendaries, 15 heads of colleges, 12 deans and as many archdeacons, the whole number not amounting to 200 perfons.†

Few then remained firm to the old caufe; and of thefe few, as many were placed in elevated ftations, we may, perhaps, be induced to think that a point of honour, rather than conviction of duty, influenced their determination.

* The above particulars are taken from Heylin, p. 286.

† Ibid.

nation. Still, when we contemplate the general state of the kingdom, as contemporary writers represent it a few years later, in its universities and various parishes, the warmest admirer of the reformation will be compelled to own that many, even far the major part, of those whom learning signalised, or probity of manners graced, had withdrawn from their stations. “Our universities,” says Jewel, the new bishop of Salisbury, “are in a most lamentable condition.”* — “Upon the Catholic clergy throwing up their preferences, the necessity of the church required the admitting of some mechanics into orders.” They are the words of Collier.† — “There was not,” observes Heylin, “a sufficient number of learned men to supply the cures, which filled the church with an ignorant and illiterate clergy. Many were raised to great preferments, who having spent their time of exile (in the reign of Mary) in such foreign churches as followed the platform of Geneva, returned so disaffected to episcopal government, unto the rites and ceremonies here by law established, as not long after filled the church with
“ most

* Ep. ad Bulling.

† Eccle. Hist. vol. 2. p. 465.

“ most sad disorders. Private opinions not
 “ regarded, nothing was more considered in
 “ them than their zeal against popery, and their
 “ abilities in learning to confirm that zeal.”*

For some time, uncertain what might be the event of things, the great body of the clergy conformed exteriorly to the law. The changes of the preceding reigns, which themselves had witnessed, prompted this weak compliance. But when the firmness of the queen and her ministers, and the general aspect of the nation, convinced them, that no further change, favourable to their wishes, might be expected, again some surrendered their livings; others retained *fine cures*, through the connivance of their neighbours, or the patronage of friends, procuring men who would officiate in their stead; many served as chaplains in private families; more, perhaps, (for there is reason to believe it,) fearful of penury or the severity of legal prosecution, persevered in the outward conformity with a service which their minds inwardly rejected; while all, (to their praise be it spoken,) bishops and clergy, in silent resignation bowed their heads, conscious that to submit to laws which,

Conduct of
 others.

* Hist. p. 287.

which, while their active ministry permitted, they had laboured to avert, was now become their christian duty. To clamour, when clamour could only irritate; to disturb, by opposition, the peace of society, when endless feuds would be the only fruits; to provoke persecution or the resentment of the law, when a heavier oppression, with more apparent justice, might be then inflicted; in a word, to aim to restore their religion by violence, or to vilify that of their adversaries by reproach, when that divine master, by whose maxims they professed to be governed, had not set them the example—were rules of conduct which the clergy, I am describing, under more than the common irritation of human passions, nobly disdained to follow.* The

* The reader, whose mind will have anticipated the application, may compare with this behaviour of our countrymen that of a neighbouring priesthood, placed in circumstances of some difficulty and of greater oppression. I listen not to any statement of events or motives of action, which resentment has delivered, or the fanaticism of party has too deeply coloured. We must judge with justice. And how superior, even in an age of persecution, will the moderation of our British governors appear to the intolerance of a boasted philosophy, and the despotism of a boasted freedom! If men, aggrieved in their fortunes and harassed in their opinions, have been uniformly consistent, and uniformly free from every imputation, I pretend not to know. This I know, that the treatment they, and others of both sexes, have experienced, marked with deliberate barbarity, has stamped an infamy on the cause (which otherwise was great and noble,) that no success shall efface, till ample reparation be made to innocence, and to virtue, and to justice, and to manhood.

The conduct of the laity was such as, from circumstances, might be naturally expected. The nobility, in great numbers, adopted the faith of the court, and they were followed by what might be called the nation. I have said, how much the recent progress of changes had prepared the way for this event. Still amongst this nobility and all the subordinate ranks of life, there were many, some of whom remained firm, while more, actuated by the weak policy of their clergy, exteriorly conformed, frequenting the public service of the church. And in this service, it must be allowed, when it came to be regularly organised, there was a decency and a dignity, well adapted to the sedate and philosophic character of the English people. The churches were the same, the orders of the hierarchy remained, and, what was calculated to conciliate the multitude, the communion table was placed where the altar stood, music was retained, all the old festivals, with their rites, were observed; the dress of the officiating ministry only was changed to a less gaudy and garish vesture. The use of the English language also, when the first impression was effaced, greatly contributed to attach the people to it; as did the admission of the laity to the cup.*

* Heylin, p. 283.

In framing the articles of the public faith, it was, at the same time, the wish of the queen, that they should depart, as little as might be, from the tenets of former times. To conciliate the minds of men, not to divide them, was the policy of this uncommon woman. The language of the article on the real presence, a subject which had excited great controversies, indicates this conciliatory plan; and it was remarked, that she enjoined the sacramental bread to be continued round in the form of wafers.*

Of the great numbers who at first, we are told, from ignorance, or pusillanimity, or policy, were occasional conformists, many became gradually attached to the new faith, when every prospect of further change had ceased, and they saw before them not discouragement only, but the danger of prosecution in returning to the religion of their ancestors. It was afterwards more than once publicly declared by Sir Edward Coke, when attorney general, which the queen herself had confirmed in a letter to Sir Francis Walsingham, that, for the first ten years of her reign, the Catholics, without doubt or scruple, repaired
to

* Heylin, p. 283.

to the parish churches.* The assertion is true, if not too generally applied. "I deny
 "not," says father Parsons in reply to Coke,
 "but that many, throughout the realm,
 "though otherwise Catholics in heart, (as
 "most then were,) did at that time and after,
 "as also now, (an. 1606,) either upon fear,
 "or lack of better instruction, or both, repair
 "to Protestant churches."†

Such was the general state of things.—But men of more ardent minds than the clergy I have described, such principally as, for non-compliance, had been expelled the universities, or were disappointed in their views of preferment; such as a warmer zeal for religion animated, and who could ill brook the growing success of innovation; such as, habituated as they had been in the schools to resist the new doctrines of the reformers, were resolved not silently to quit the field, but to maintain, by every exertion, the war of words they loved, and which finally, they doubted not, must triumph: all these and more, when the measures of the court prevailed, withdrew to the continent. They were received as

Many of the
 clergy retire
 abroad.

* Heylin, p. 283.

† *Answer to Reportes*, p. 371.

professors or students in the universities and monasteries, particularly of France, Flanders, and Italy.*

This secession I lament; because had these men remained at home, patient of present evils, and submissive, as far as might be, to the laws; had they continued the practice of their religion in retirement, and distributed, without clamour, instruction to those that claimed it, the rigour of the legislature would soon have relaxed; no jealousy would have been excited; and no penal statutes, we may now pronounce, would have entailed misfortunes upon them and their successors. The entire series of these evils they could not, I will admit, then foresee; but no uncommon share of penetration might, certainly, have taught them, that the measures they were pursuing must accelerate the ruin, not support the religion of their friends, or the interest of their cause.

William
Allen.

William Allen, a divine of Oxford, one of the first who relinquished his preferments, soon became the guide of the exiles, (if they might be so called who had voluntarily retired from their country,) and the soul of their plans.

* Dodd Church Hist. vol. 2, p. 8.

plans. His manners were gentle, his learning above the ordinary measure, his prudence in government constant, and his energy of action unceasing. In 1568, the tenth year of Elizabeth, having matured the weighty scheme, and drawn together many learned men who had been educated in Oxford and Cambridge, but who now were scattered on the continent, he laid the foundation of a college or seminary at Douay, a city in Flanders then subject to the Spanish crown. This was succeeded by other establishments, which the activity of the same man promoted, in Italy, Spain, and France. To perpetuate the succession of a Catholic clergy, and to supply England with pastors of that persuasion, as the old priests should die off, was the principal design of these establishments. In a few years, the number of students and residents in the single college of Douay amounted to 150 persons. But their means of subsistence, by private contributions, were fluctuating and precarious. Recourse therefore was had to Rome; and the holy see conspiring, as was natural, with the views of Allen and his associates, contributed liberally to their support. Other succours afterwards flowed in.*

* Dodd passim: also MSS. Letters of Dr. Allen.

Reflections on
our foreign
establishments

I am disposed to admit, what the warmest advocates for these establishments can demand, that the views of their founders, when we contemplate the characters of the men and the motives of their actions, originated in a sincere and commendable zeal; but I cannot admit that those views were wise. Will it be proved, that similar establishments, better adapted to our genius, might not have been formed at home, if, as I have observed, time had been allowed for the fermentation of the public mind to subside; and moderation and forbearance disarming government of all its jealousies and resentments, had conciliated its good will to the professors of the ancient faith? The bishops of this faith, besides, who survived the reformation, had they been animated and protected by the abilities and learning of the men who emigrated, would, doubtless, themselves not have favoured only, but have suggested and promoted measures, whereby a regular succession of clergy might have been maintained, and schemes of education formed. But seeing themselves deserted, and hearing of foreign plans to which much praise was given, and on which the most sanguine hopes of success were founded, they persevered in the habits of retirement they had chosen, and entertained, it seems, no thoughts of perpetuating their hierarchy, or providing for days to come. It may also be remarked that, in 1578, twenty
years

years after the reformation, Watson of Lincoln was the only surviving prelate*

Our ancestors then, I have said, were unwise in founding foreign houses of education, not only because they took place of better establishments which, in the course of a few years, we might have formed at home; but also because, (from their views, some real and some imputed by their enemies, on the ground of their foreign connections and their avowed designs against the religion of their country,) they soon excited in the breasts of our governors a suspicious jealousy, which was the source of many evils. Nor will it, I think, be denied that, from too warm an opposition to the doctrines of the reformers who rejected, without cause, *all* jurisdiction in the Roman bishop; from a connection with the court of Rome, begun in circumstances of penury, upheld by the same calls, and strengthened by sentiments which gratitude created; finally, from associating too intimately with the divines of that court, and adopting the maxims of its schools; it will not, I say, be denied that, from the operation of these various causes, our foreign houses soon imbibed an ultramontane spirit which, as it flattered, and by flattering secured

* Dodd, *ib.* p. 104.

secured the favour of Rome, so did it offend, and by offending draw down on our heads the vengeance of the British government. The doctrine of deposing princes and disposing of their crowns, with other concomitant maxims of a like tendency, were the *pabulum* on which that ultramontane spirit fed; and we may too easily discover, in reading their works, that the divines of our English seminaries had, with a culpable inattention to circumstances, espoused those dangerous tenets.* Their direct application to the princess on the throne and to many events of her reign, proved too evidently that they were not tenets of barren speculation, calculated for the exercise of school disputation only: and if they rendered the men who maintained them obnoxious to the state, exposing them to prosecution and imprisonment, and sometimes even to death, it should not excite our wonder.

Father Parsons

In a few years, the number of those who returned from these seminaries to support the Catholic

* See *Further Considerations* by Sir John Throckmorton, a work which, with great accuracy of research, exhibits the opinions of these men. He has been blamed for delineating too faithful a portrait. Our cause then, it seems, stood in need of concealment and the stratagems of artifice. Rather, let us know the errors of our ancestors and avoid them, admire their zeal, imitate their virtues.

Catholic cause was considerable; and had they returned, (as many of them doubtless did) actuated by a pure zeal for religion, and with sentiments of an enlightened patriotism and of allegiance to their sovereign, they might have practised the duties of their ministry, unheeded and unmolested. But father Parsons had, by this time, set his hand also to the work, a man, with the sound of whose name are associated intrigue, device, stratagem, and all the crooked policy of the Machiavelian school. He left Oxford in 1574; entered among the Jesuits at Rome in 1575; and in 1580, returned into England with father Campian, being the two first Jesuits who visited this country. The society had been founded in the year 1540. Campian, in the following year, suffered death, for a supposed plot entered into abroad against the queen and government, when father Parsons thought it adviseable once more to withdraw. In 1587, having spent the intermediate time in France, he again went to Rome. A few years after this, we find him in Spain, highly favoured by that court, and using all its favour in the establishment of various seminaries at Valladolid, Seville, and St. Omer's, for the benefit, as it was esteemed, of the English Catholics. These foundations being completed, he once more repaired to Rome, which would honour him, it was expected, with the purple; but where he was only raised to the government

ment of the English college in that city, which he retained to his death in 1610.*

To the intriguing spirit of this man (whose whole life was a series of machinations against the sovereignty of his country, the succession of its crown, and the interests of the secular clergy of his own faith) were I to ascribe more than half the odium, under which the English Catholics laboured through the heavy lapse of two centuries, I should only say what has often been said, and what as often has been said with truth. Devoted to the most extravagant pretensions of the Roman court, he strove to give efficacy to those pretensions in propagating, by many efforts, their validity and directing their application:† pensioned by the Spanish monarch, whose pecuniary aids he wanted for the

* Dodd, ib. p. 402. Lit. MSS.

† See *Further Considerations* p. 128. — “ I shall signify to “ his holiness,” he says, “ how necessary it is that he seriously “ apprehend this business of England, lest, at the queen’s death, “ the country fall into worse hands and into greater inconveni- “ niences, should an heretical prince, *whoever he may be*, obtain “ the succession. He shall know, that the English Catholics “ desire a king truly Catholic, be he an Englishman, a Scotch- “ man, or a Spaniard; and that, in this business, they consider “ themselves as principally dependent on his holiness.” MSS *Letters*. This he wrote to father Holt in 1597, on his journey from Spain to Rome, six years before the death of Elizabeth.

the success of his various plans, he unremittingly favoured the views of that ambitious prince, in opposition to the welfare of his country, and dared to support, if he did not first suggest, his idle claim or that of his daughter to the English throne:* wedded to the society of which he was a member, he sought her glory and preheminance; and to accomplish this it was his incessant endeavour to bring under her jurisdiction all our foreign seminaries, and at home to beat down every interest, that could impede the aggrandisement of his order.† Thus, having gained an ascendancy over the minds of many, he infused his spirit and

* See a *Conference about the next Succession to the crown of England*, published by R. Doleman 1593. There is sufficient proof that Parsons was the author of this work, written with a view to establish the Spanish succession against the claim of the Scottish king. It appears to have been read in manuscript by Cardinal Allen and many others, who highly approved the contents, subscribing to the doctrines, "that, as the *realm of England was a fief of the holy see*, it principally regarded the pope to settle its succession; and that it was never lawful for a Catholic, under any pretext, to support a Protestant pretender to the throne." Thus wrote Sir Francis Englefield, in 1596, who had been formerly secretary to queen Mary, but who now resided in Spain, and was the confidential friend of father Parsons. He gives his judgment on the *Book of Succession*, assigns the motives for the publication, and replies to objections. *MS Letters*.

† The sequel will illustrate this.

and spread his maxims; and to his successors of the society, it seems, bequeathed an admiration of his character and a love of imitation, which has helped to perpetuate dissensions, and to make us, to this day, a divided people. — His writings, which were numerous, are an exact transcript of his mind, dark, imposing, problematical, seditious.

To confirm the above statement and to prove its truth, I select the following passage from a contemporary author and an honest man. “Father Parsons,” he says, “was the
 “ principal author, the incensor, and the mover
 “ of all our garboils at home and abroad.
 “ During the short space of nearly two years
 “ that he spent in England, so much did he
 “ irritate, by his actions, the mind of the queen
 “ and her ministers, that, on that occasion, the
 “ first severe laws were enacted against the
 “ ministers of our religion, and those who
 “ should harbour them. He, like a dastardly
 “ soldier, consulting his own safety, fled. But,
 “ being himself out of the reach of danger, he
 “ never ceased, by publications against the
 “ first magistrates of the republic or by factious
 “ letters, to provoke their resentment. Of
 “ these letters many were interrupted, which
 “ talked of the invasion of the realm by foreign
 “ armies, and which roused the public expectation. Incensed by his work on the *succession*,
 “ *sion*,

“ *sion*, and by similar productions on the affairs
 “ of state, under the semblance of a cause that
 “ now seemed just, our magistrates rise up in
 “ vengeance against us, and execute their laws.
 “ They exclaim, that it is not the concern of
 “ religion that busies us ; but that, under that
 “ cloak, we are meditating politics and prac-
 “ tising the ruin of the state. Robert Parsons,
 “ stationed at his ease, intrepidly, meanwhile,
 “ conducts his operations ; and we, whom the
 “ press of battle threatens, innocent of any
 “ crime and ignorant of his dangerous machi-
 “ nations, undergo the punishment which his
 “ imprudence and audacity alone merit.”
 They are the words of John Mush, taken from
 a work published by him in Latin, which will
 be quoted in a succeeding note, and which, in
 the name of the English clergy, was addressed
 to Clement VIII.

To ascertain an important point, that the
 painful situation in which our ancestors were
 involved, was principally owing to certain
 opinions of a dangerous tendency imported
 from abroad, and that, if we had founded no
 foreign seminaries, we had provoked no penal
 laws, I wish to observe that, during the first
 ten years of her majesty's reign, the Catholics
 experienced no other molestation than what
 arose from the act of supremacy, and that the
 severity of that measure was gradually ceasing,
 when,

Foreign con-
 nections the
 principal cause
 of our griev-
 ances.

when, in 1569, the Bull of Pius V. was issued.* In language irritating and insolent (for he denominates her *flagitiorum serva* and *pretensa Angliæ regina*) Pius excommunicates the queen, deprives her of all title to the throne, and absolves her subjects from every tie of allegiance.† In the same year a rebellion broke out in the northern provinces, under one pretence among others, of restoring the old religion, but not fomented, it seems, by the Bull of Pius, of which the rebels, probably, had not then heard. But the pontiff, in a letter to the earls who headed the insurrection, gave his blessing to their enterprise, which he calls

* “ It cannot be denied, but that for the first ten years of
 “ her majesty’s reign, the state of Catholics in England was
 “ tolerable, and after a sort in some good quietness. Such as
 “ for their consciences were imprisoned in the beginning of her
 “ coming to the crown, were very kindly and mercifully used,
 “ the state of things then considered. Some of them were
 “ appointed to remain with such their friends as they them-
 “ selves made choice of. Others were placed, some with
 “ bishops, some with deans, and had their diet at their tables,
 “ with such convenient lodgings and walks for their recreation,
 “ as did well content them. They that were in the ordinary
 “ prisons, had such liberty and other commodities as the places
 “ would afford, not inconvenient for men that were in their
 “ cases.”—*Important Considerations*, p. 31. These *Considerations*
 were drawn up by some secular priests an. 1601, and the view
 they give of the state of Catholics soon after the Reformation
 coincides with what I before said.

† Dodd, vol. ii. p. 306. Bulla Pii 5.

calls *holy* and *religious*, and promised to support it with as large a sum of money as was then in his power to supply. "Our Lord," he says to them, "hath inspired your minds with a
 "zeal worthy of your Catholic faith, that you
 "may attempt to free yourselves and country
 "from the shameful slavery of female lewd-
 "ness, and bring it back to its former
 "obedience to this holy Roman see."*

Yet these attempts against the dignity of the throne and the peace of the people were not resisted by any public act, except what fell immediately on the rebels, till, in 1571, a new parliament met and passed the law of the 13 Eliz. entitled *An act against bringing in, and putting in execution Bulls, &c. from the see of Rome*. Nor till 1577, did any priest suffer death, though, in the space of the three preceding years, more than fifty of that order had been sent into England from the seminary of Douay. In the two next years they were followed by thirty two more.† But from the period of 1577, laws gradually succeeded to laws of more minute and rigorous severity, and proclamation to proclamation, whereby many were apprehended, and many suffered death. Of

* *Further Considerations* p. 101. where the Letter is given.

† *Memoirs of Missionary Priests*, Introd. p. 4.

Of those who suffered death, in number more than 120, to say that none were guilty of the crimes imputed to them, would be to arraign too severely the justice of my country ; and to say that none were innocent, would be to contradict, I am aware, the truth of history. Often have I read the *Memoirs** of the lives and deaths of those unfortunate men, when I was compelled to admire the innocence of their characters, their zeal for religion, their fortitude in the most trying scenes. That these *Memoirs* were compiled with a partiality too strongly marked, I will allow : still, when I see opinions punished which never came into action, and crimes charged which, with the expiring breath, were denied, I must be permitted to say, that the laws, which thus punished, were cruel, and that the spirit of the times was intolerant and bloody. But let the whole truth be spoken :—The tenets these men adopted, (I mean those regarding the papal prerogative,) were, as I have observed, of a most dangerous tendency. These they would not abjure ; they maintained them in their interrogatories ;† and as they had been educated,

* They were compiled about the year 1741, by the late learned and exemplary bishop Challoner, from documents as authentic as could be procured.

† See *Memoirs* as above, passim.

educated, all of them, I believe, in foreign seminaries, whence books were daily published in support of the same tenets,* and in which seminaries, machinations, some real, some fictitious, were incessantly practised (as it was rumoured,) against the queen and the religion of the state, it was natural that great alarms should be excited, and more danger apprehended, than, in less irritating circumstances, would have provoked resentment, much less the vengeance of the law.

Lord Burleigh in a treatise entitled, *The Execution of Justice in England*, published in 1584, affirms that none had then suffered for religion; and he instances the old clergy and the numerous Catholics who lived unmolested, while the seminary priests only were brought into trouble, who, on their examinations returned evasive answers, indicating too evidently that they admitted the deposing power in the pontiff, and did not reprobate the Bull of Pius.—The positions of this work were controverted, it is true, and many of them denied by Dr. Allen.†

* By Doctors Allen, Bristow, Saunders, Parsons and others. See *Further Considerations*, p. 96, under the article, *Conduct of Catholics in the reign of queen Elizabeth*.

† See *A true and modest Defence*.

This then I infer, (and I have ample grounds for the inference,) that as none of the old clergy suffered, and none of the new who roundly renounced the assumed prerogative of papal despotism, it was not for any *tenet of the Catholic faith* that they were exposed to prosecution.* But their foreign education connecting them with Rome and other hostile courts, itself raised suspicions; and the tenets which all of them held, many most innocently, formed another link which, in the apprehension of a government justly jealous, again connected them with the great events of the times. These were the insurrection of the earls in the north in 1569; the publication of the Bull of Pius in the same year, its renewal by Gregory XIII. in 1580, and again, with expressions of stronger acerbation, in 1588, by Sixtus V.; the attempts to release the unfortunate Mary, during her many years of imprisonment, but principally in 1586; and finally, the Spanish Armada

* After the promulgation of the Bull, *six queries* were generally proposed to the priests who were arraigned. They regarded the import of that Bull, the deposition of the queen as pronounced in it, and what should be the conduct of good subjects in reference to both. Few answered, I am sorry to observe, as became loyal Englishmen and faithful citizens. They seemed, rather, to consider themselves as the subjects of a foreign master, whose sovereignty was paramount and whose will was supreme.—Read the *Queries* in *Further Consid.* p. 100.

Armada in 1588: To which add the various plots of imaginary existence, supposed to be formed in all English houses on the continent. Parsons, in the mean while, and Bristow, and Stapleton, and Dr. Allen, (with all his virtues too much attached to the interests and prerogatives of Rome,) had been the instructors of those men; and with commissions from them and from his holiness, they had returned, under the positive inhibition of the law, to disturb the established faith of the country and to bring it again under the controuling jurisdiction of the Roman bishop.*

I have

* In confirmation of these reflections I subjoin the following Extract: "We are fully persuaded in our consciences, and as men, besides our learning, who have some experience, that if the Catholics had never sought by indirect means to have vexed her majesty with their designments against her crown: If the pope and king of Spain had never plotted with the duke of Norfolk: If the rebels in the north had never been heard of: If the Bull of Pius Quintus had never been known: If the said rebellion had never been justified: If Gregory XIII. had not renewed the said excommunication: If the Jesuits had never come into England: If Parsons and the rest of the Jesuits, with other our countrymen beyond the seas, had never been agents in those traitorous and bloody designments of Throckmorton, Parry, Williams, Squire and such like: If they had not by their treatises and writings endeavoured to defame their sovereign and their own country, labouring to have many of their books translated into divers languages, thereby to shew more their own disloyalty: If

" cardinal

I have introduced, with more detail than, perhaps, was necessary, this general statement, that the reader might be better prepared for the subject to which I wished to lead him.

Designs of
father Parsons

I have noticed that the old bishops, whilst they lived, continued to exercise some jurif-

“ cardinal Allen and Parsons had not published the renovation
 “ of the said Bull by Sixtus Quintus: If thereunto they had
 “ not added their scurrilous and unmanly admonition, or
 “ rather most prophane libel against her majesty: If they had
 “ not sought by false persuasions and ungodly arguments to
 “ have allured the hearts of all Catholics from their allegiance:
 “ If the pope had never been urged by them to have thrust the
 “ king of Spain into that barbarous action against the realm:
 “ If they themselves, with all the rest of that generation, had
 “ not laboured greatly with the said king for the conquest and
 “ invasion of this land by the Spaniards: If, in all their pro-
 “ ceedings, they had not from time to time, depraved, irritated,
 “ and provoked both her majesty and the state with these and
 “ many other such like their most ungodly and unchristian
 “ practices—most assuredly the state would have loved us, or at
 “ least borne with us: where there is one Catholic, there would
 “ have been ten: there had been no speeches amongst us of
 “ racks and tortures, nor any cause to have used them; for
 “ none were ever vexed that way simply, for that he was either priest or
 “ Catholic, but because they were suspected to have had their hands in
 “ some of the same most traiterous designments.”—*Important Consider-
 ations*, p. 55, 56. I know not who the secular priests were, that
 published these *Considerations*, an. 1601; but their statement
 shews what, at that time, was the belief of many, and it shews
 how inconsistent with the truth of things our own ideas have
 generally been. Mr. Dodd, vol. 2, p. 379, ascribes the work to
 William Watfon, a clergyman, who, being an accomplice in
 the mysterious plot of Sir Walter Raleigh, was executed in 1603.

jurisdiction over the Catholics, but that they appointed no successors to their sees. The last of them, Dr. Watson, who had been a kind of pope's legate over England, died in 1584; and four years before this, bishop Goodwell of St. Asaph's, who had long resided at Rome, came as far as Rheims, intending to return to England, and take upon himself the charge of our religion.* Age and infirmity impeded the accomplishment of his design, which, had it succeeded, might have left us a hierarchy, without that series of anarchy and internal dissensions, which ensued and have continued.

Dr. Allen who, towards the close of his life, had been made cardinal, and then archbishop of Mechlin in Flanders, died in 1594. Held in high estimation by all, revered for his manifold accomplishments, and powerful by an influence which reached from Rome to Douay, and from Douay to England, he, for many years, upheld a general inspection over the concerns of the Catholics.† The misfortune was that, naturally easy and unsuspicious, he permitted the artful Parsons to gain too great an ascendancy over him, an ascendancy

* Dodd, vol. 2, p. 132.

† Dodd, ib. p. 469. *The case stated, &c.*

which the crafty politician took care to cement by rendering his pecuniary services absolutely necessary to Allen.* So great was the number of emigrants daily flocking to Douay, that common aids could not suffice for their maintenance. This pained the generous mind of Allen, and compelled him to implore assistance from whatever quarter it might be procured. Thus was Parsons become the general spring of action. But when the cardinal was no more, every obstacle, it seemed, to the completion of his most sanguine schemes was removed.

Having established his houses, as I have remarked, in Spain and Flanders, through the interest of the Spanish court which was subservient to his wishes, father Parsons had returned to Rome, and was in the plenitude of his power, at the head of the English college there.

* Yet before his death he had forfeited the goodwill of the Jesuits. "Beginning to leave the road in which he had long walked, (while devoted to the society,) the thread of his designs and of his life was at once cut." Thus writes Agazarius, the Italian rector of the Roman college, to father Parsons, relating similar judgments on others who were alienated from the society. *Letters MSS.*

there. This college, founded in 1578,* and well endowed for the education of secular clergy, was forced from them within the same year, by a train of dark machinations, and committed to the administration of the Jesuits.† Besides this, the influence of the same body was becoming predominant also in Douay, to which place the English had returned in 1593, after an absence at Rheims of fifteen years.

It should here be observed, that the English Jesuits themselves were not yet formed into a regular society. They received their education among foreigners; were governed by the general of the order and foreign superiors; and in the concerns of the clergy acted as moderators and inspectors. But father Parsons was incessantly at work to establish their independence on a permanent foundation, which was effected

* It had been originally called the *English Hospital*, built and endowed by our kings, during the Saxon heptarchy, for the entertainment of pilgrims and travellers of that nation. Gregory XIII. at the instigation of Dr. Allen, altered its destination, and erected it into a college, adding, at the same time, very liberally to its rents. Dodd, vol. ii. p. 15, 245.

† Dodd, *ibid.* p. 225, ad p. 245.

effected, soon after his death, in the three houses of Watten, Liege, and Ghent.*

Thus then stood the power of father Parsons. He ruled the colleges of Spain, and that of St. Omer's which was erected in 1594, retaining all the favour of the Spanish court : at Douay, Dr. Barret, the successor of the cardinal, was subservient to his beck :† In Rome, at the head of the college there, he possessed the ear of the pontiff, and was consulted in all matters regarding the English nation. It only remained that, in England itself, where he had many friends among the laity, and many creatures of the ecclesiastical order, either of his own society, or bound to him by the grateful recollection of favours they had experienced from his hands abroad, he should establish an authority over the body of secular clergy that might bring themselves and their concerns under his immediate controul, or under that of the society.

The clergy, aware of those designs, project a plan for their own government.

But that body of men, soured by some recent events and jealous of their independence, proved more untractable than he had expected.

The

* Dodd, p. 342, 3.

† Ibid. 68, et alib.

The wresting from them the administration of the Roman college they recollected with resentment.—In the castle of Wisbich, wherein more than thirty priests had been confined since the year 1587, great dissensions had arisen, disgracing the cause for which they suffered, and of which dissensions father Weston, then superior of the Jesuits, was thought to be the principal mover, by endeavouring to establish among the prisoners a form of discipline and economy favourable to the views of his order.* In this quarrel, strange as it may seem, the whole Catholic body, as they were variously affected, took sides. Nor could the clergy forgive an expression of father Garnet's uttered in reference to that quarrel: "why," said he, "may not the Jesuits govern, and have the pre-eminence over the secular priests in England, as they have at Rome over the English seminary."†—The influence the same order had obtained over the establishment at Douay excited also their indignation.—In a word, they had long experienced the indefatigable ardour of

* *A True Relation of the Faction begun at Wisbich*, by Dr. Bagshaw, an. 1601. It is written with much asperity, but contains some curious facts, and develops the growing politics of the Jesuitical faction. Dr. Bagshaw was a secular priest, and himself confined at Wisbich.

† Ibid.

of father Parsons, who now aimed, they saw, at universal domination. But they were without a head, or any system of union, to resist the growing power, the absorbing influence of which was, with reason, dreaded.

It was this consciousness of their own inability, joined to the necessity which was urgent of having a superior amongst them, who, whilst he governed their body by a canonical superintendence, might, at the same time, administer confirmation to the laity, which determined the clergy to apply to Rome for one or more bishops. They were now sensible, when it was too late, how culpable had been their remissness in not having induced the old bishops to leave successors behind them.

Still, it is my opinion that we always had a *church*, incomplete, it is true, since the death of the last bishop, but ever remaining a society of true believers, governed by a succession of inferior pastors, and holding communion with the centre of unity, the Roman see. The words *mission*, then, and *missionaries* have been improperly applied to us, which always designate a society recently converted to christianity, and unprovided with a regular clergy. The origin, however, of those words is obvious, taking their rise from the circumstance, which I have lamented, of ministers being *sent* from our foreign

foreign establishments to supply the flocks with pastors. This idea of the *perpetuity* of our church I must resume, when incidents of greater moment shall call for it.

The clergy deliberated, and unanimously resolved to present a supplication to his holiness, praying that he would restore to them an ecclesiastical hierarchy in the government of bishops, "which bishops should be elected by the common consent of the clergy, and appointed by them to different districts."*

Had they deliberated to better purpose, and consulting their church chosen such a number of bishops as the exigences of the people required, the measure would have been more consonant with the spirit of primitive discipline, while it would have secured them from a world of difficulties, into which their

too

* *Declaratio Motuum*, &c. p. 21, 30; A work written in Latin by John Musf an. 1601, who will be hereafter mentioned. It relates, with some elegance and with accuracy, many events of the period in which he was personally concerned. From it I extracted the passage p. 21, which served to complete the portrait I had drawn of father Parsons. It should also be remarked, that the work in question was compiled in the name of the Catholic clergy, and in their name addressed to the pontiff, Clement VIII. This circumstance gives additional weight to its *declarations*.

too subservient attention to the Roman court was soon to precipitate them, and involve their successors. But their foreign education in pontifical colleges, which I cannot too often repeat, had taught them to think too well of a court, the measure of whose policy has generally been what would most tend to its own aggrandisement, and to the support of the prerogative of its supreme head. Even when that court is inclined to proceed on the most laudable motives, it is ever liable to be misled by the interested or sinister views of advisers, to whom, from a want of that knowledge which present inspection can alone supply, it is almost necessitated to give ear. When a cause, (said the honest men of whom I am speaking,) in which the interests of religion are obviously concerned, presents itself to Rome, with the eagerness of a kind parent she will listen to our prayer, and redress our grievances. So they reasoned. They were also aware of the dependent state, into which the benefactions bestowed by Rome on their foreign houses had thrown them; a dependence which gratitude cemented, but which, to the present hour, has operated fatally.

They are successfully counteracted.

The measure on which the clergy had decided, could not be long concealed from those whose interest it was to obstruct its completion.

pletion. Father Parsons was in Spain; but no sooner was the project communicated to him, than he hastened to Rome. This was about the year 1597.—Mean while, to amuse the clergy and to lull them into security, the faction at home loudly applauded their design and wished it success, while secretly they laboured to draw off some of the clergy to their own side. In this they succeeded. Mr. George Blackwell, whose name will often return, “a man of a quicker penne, than
 “either of wisdom or sinceritie,” not only joined them, but consented to write a letter which should be conveyed to Rome, purporting that “for twenty years, there had been
 “no dissention between the secular priests
 “and the jesuits; that the reports, stating the
 “ambition of those fathers, were so far from,
 “the truth, that, on the contrary, the jesuits
 “were in all places most notable examples of
 “humility, gentleness, patience, piety, and
 “charity.” The testimonial thus worded was committed to the care of a Mr. Standish, another seduced clergyman, and with him dispatched to Rome.*

Father

* *A True Relation*, p. 62. *Declaratio Motuum*, p. 26.

Father Parsons had now the game in his own hands. On the arrival of Standish, he introduced him, with two other clergymen, then in Rome, equally his own creatures, to his holiness, Clement VIII, as the deputies from the *secular priests* in England. They presented their letter; then entreated his holiness, "that
 " he would kindly deign to appoint a superior
 " over the English church; for so great were
 " the dissensions betwixt the *secular priests* and
 " the *laity*, that many inconveniences must necessarily follow, unless one were placed over
 " them, who, by his authority, might reconcile and reform them,"—Clement seemed surprised: "Doth what you have said," he asked, "proceed from the desire and consent of my loving priests in England?"—Standish replied: "What we have presumed
 " to offer to your holiness, is done by the most
 " assured and unanimous consent of our
 " brethren."*

His holiness, thus deceived, committed the business to cardinal Cajetan, then protector, as the phrase is, of the English nation, and to cardinal Borghese. But the former being familiarly connected with father Parsons,

25

* *A True Relation*, p. 70. *Déclaratio Motuum*, p. 31.

as was natural, deemed it most proper to entrust to him the arrangement of the measure; and, by his superior authority, overruled his colleague. The whole plan is said to have been previously adjusted between them.*

The wily politician did not long hesitate.—That the wishes of the clergy must, in part, be complied with, was plain; or they would soon be at Rome with the *Supplication* of their body, when the plot of his faction would be detected, and, perhaps, frustrated in its whole extent:—But they must not have a bishop for their superior, with ordinary jurisdiction at least, such, he knew, as they requested, who would unite all their interests, and annul the project he had laid for the elevation of his own order:—If a superior, of a character hitherto unheard of in the church of God, can be obtained, to him, as a Roman delegate, the clergy must submit; and, if he be a creature of the Jesuits, under his auspices, the views they had formed will be more effectually promoted:—To select a Jesuit for this superior would be too palpable and revolt numbers: but the way may be opened to the office; for though the constitutions of the society exclude them from the mitre, they bar not

* *A True Relation* p. 72. *Declaration* p. 32.

not the access to other ecclesiastical preferences.

Mr. Blackwell
chosen arch-
priest.

In this, or in a manner not unlike it, we may presume, father Parsons reasoned; and he could not be long at a loss on whom to fix his choice. The name of Blackwell was known at Rome, where he had once resided in habits of intimacy with Bellarmin, and to whom, twenty years before, certain powers had been entrusted.* Recently also, as we have just seen, he had merited peculiar favour by a most signal service. Him, therefore, he deemed a proper instrument for his designs; and he recommended him to the cardinals. They approved his choice; and it was determined that Mr. Blackwell should be nominated superior over the clergy of England and Scotland, with the title of *Archpriest*.†

Had the *Presbyterian* idea come from the school of Calvin, it would have raised no surprise: why then be surprised that it originated in a school, wherein the Jesuits Lainez and Salmeron had taught, that the whole ecclesiastical hierarchy was concentrated in the pope, and
that

* Dodd, p. 25. *Breve Greg.* XIII. et p. 380.

† *A True Relation*, p. 72. *Declaratio Motuum* p. 33.

that he was the only bishop *jure divino*?* The sequel will still develope this unseemly doctrine.

An instrument was now prepared, under the form of a *Letter* from cardinal Cajetan, directed to George Blackwell, and dated March 7, 1598. — It states, that Satan had lately moved dissensions between the Catholic laity and the secular priests: That in the Roman college peace and harmony *now* prevail: That some subordination among the priests, it was thought, would tend to generate concord, as the reasons just urged by the delegates proved: That, with this view, he nominates him, with the title of *archpriest*, to direct and govern all the secular priests of England and Scotland: That, however, to lighten the heavy charge, he appoints six advisers or *assistants*, whom he mentions, by name, empowering him at the same time, to add six more to the number: that harmony and concord must be maintained, and that with the fathers of the society whom he greatly extols, saying that their labours, for the good of their country, in England as elsewhere, were incessant; that they had not, nor pretended to have any jurisdiction over the secular priests, to whom they would cause no uneasiness; and therefore it was the devil's

* Fleury, T. xxxiii. p. 616. See also many other writers on the ecclesiastical business of that time.

work, designed to overturn all the benefits of the ministry, if any Catholics excited or practised envies and jealousies against them.*

Such, in a much longer detail, are the contents of this curious instrument, obviously, in every article, fabricated by father Parsons, in a perfect accord with the late stratagem, and to answer the designs he had in view.—It was signed by the cardinal, and dispatched into England, but in company with another instrument, by way of codicil, still more extraordinary.† This was a paper of *Instructions* which prohibited the archpriest, with his twelve assistants, “from determining any matter of “importance, without advising with the superior of the jesuits, and some others of the “order.”‡ Thus was the controuling power ultimately lodged in the hands of the society, whose superior or provincial, at that time, was the distinguished Henry Garnet.

In this manner, were the venerable remains of the British church wantonly insulted!—His holiness does not deign by a *Bull* or *Brief*, (an instrument used on the most common occasions,) to signify his will to them, but commands his chamberlain to do it. This
cham-

* *Litteræ Card. Cajet.* Dodd, p. 252.

† *Ibid.* p. 253. *Breve Clem.* viii. p. 263. ‡ *A True Relation*, p. 73.

chamberlain, calling himself protector of the English nation, commits the business to father Parsons; and he plans and directs the whole. A man is chosen, devoted to his interest, and who had betrayed his brethren; but he is appointed with a title, in its present application, unknown in the christian church; and that the powers annexed to this title may be restrained, he is provided with a council, all of them the creatures of the jesuits, one of them the notorious James Standish; and that powers even thus restricted may be more effectually restricted, the controuling energy of the whole is delegated to the fathers of the society!*

It was on the 7th of March an. 1598, that the Rev. George Blackwell was nominated *archpriest* in the kingdoms of England and Scotland.

* In a MS. *Relation* presented by the regulars to Benedict XIV. about the year 1750, in my possession, which gives a succinct account of these events, the transaction is thus stated: "That Clement VIII. greatly incensed that the clergy should have aimed to establish an independent hierarchy among themselves, and when he knew that the government of bishops was neither necessary nor useful to the Catholics, commanded the protector to appoint an archpriest with assistants." They also observe, that the omission of a pontifical decree or brief was with equal prudence concerted, lest its introduction, contrary to law, might give offence to the English government! I shall quote this *Relation*, when necessary, and the reader may credit it when he can.

In tracing the dissensions which continued to disturb our internal peace at home, I omitted to mention a train of similar misunderstandings which kept pace with them abroad, particularly among those Catholics who dwelt in Flanders. The number of these, laity and clergy, was considerable, whom the benevolence of the Spanish court principally maintained. Father Holt, a jesuit, resided at Brussels, in whom the government of the country confided, entrusting to him the distribution of their charities; and through his hands also passed such other charities as were collected in England for the support of the emigrants and exiles. In the execution of this delicate office father Holt offended many, and many charges were preferred against him.—About this same time also, the year 1597, a *Memorial* of great length, containing many heads of accusation against the jesuits in general, and the English jesuits, residing in England, in particular, was sent out of Flanders to Rome. The memorial, though signed by few, was supposed to speak the general sentiments of the English clergy and a large portion of the laity, both at home and abroad. Counter-memorials and counter-petitions were, therefore, procured, while father Parsons, at Rome, father Garnet in England, and father Holt at Brussels, strenuously exerted their predominant influence to check the effects of so dangerous an opposition, and to maintain their credit.—Among those in Flanders who signed for father Holt and the society, I find Dr. Stapleton and other dignified ecclesiastics, the officers and colonel of Stanley's legion, (who a few years before, being sent by the queen to garrison the town of Deventer in Holland, had gone over to the Spaniards, saying that their consciences allowed them not to fight for heretics,) nearly 40 gentlemen and some ladies, at the head of whom is the countess of Northumberland. But Dr. Worthington had laboured hard to procure these signatures. They who refused to sign were far less numerous; Dr. Giffard, afterwards archbishop of Reims, the earl of Westmoreland, and 12 others, whose names are recorded.—MSS *Letters* in my hands: See also *A True Relation*, p. 66, which contains the *Memorial* just mentioned.

From

*From the appointment of the archpriest Blackwell an. 1598,
to the nomination of the bishop of Chalcedon an. 1623.*

THE resentment of the clergy, thus overreached and insulted, was great, when they understood what had been done at Rome, and when Mr. Blackwell announcing his delegation, declared his title with the extent of its powers, and demanded their submission. The elders came forward, at the head of whom were Mr. Colleton in the south, and in the north Mr. Mush, firm but candid men, admired for their learning, revered for their virtues.* They saw that the *Letter* from the protector was unsupported by any *Brief* from his holiness; and soon the whole transaction was unravelled to them, the perfidy of Blackwell and Standish,

Resentment
and proceed-
ings of the
clergy.

* Dodd, vol. 2, p. 115. Vol. 3, p. 84.—The clergy, at this time, amounted to more than 400; the number of jesuits must have been inconsiderable.

and the shameless declaration of the latter in company with the pretended delegates before the pontiff at Rome. They doubted not but the whole was the contrivance of father Parsons, and that the cardinal and the pope had been both imposed on, which many clauses of the protector's letter sufficiently evinced. Under this conviction, they intreated that they might not be urged to admit the authority of the archpriest, till it should be confirmed by an express *Brief*, or till his holiness's pleasure were signified to them. Besides, they observed, they would not believe that the court of Rome, as the private *instructions* were said to enjoin, would impose on the clergy of England the hard condition of submitting themselves to the dominion of the new order of *Jesuits*.*

Blackwell perceived there was no time to be lost: wherefore, in conjunction with father Garnet, he dispatched agents through the kingdom to collect signatures to a *Letter* of thanks to the pope and cardinal, for that excellent form of government they had established over them. The young and ignorant, as yet unapprised of the matter, allured

* *A True Relation*, p. 73, 74. * *Declaratio Motuum*, p. 35, 36.

allured by promises, or intimidated by threats, gave their names; and a messenger set out for Rome.*

The heads of the clergy, meanwhile, deliberately concerted their plan of opposition, when it was agreed to depute two of their body, to exhibit their complaints to his holiness. The two chosen were Dr. Bishop, (whose name will often return,) and Mr. Charnock; and they took with them a *Remonstrance*, the chief heads of which were, “ That
 “ the government of an archpriest for a whole
 “ nation seemed unprecedented and extraor-
 “ dinary; that it did not answer the ends of
 “ the mission, especially as to the sacrament
 “ of confirmation; that the divine institution
 “ required a hierarchy in every national
 “ church; that the measures of the appoint-
 “ ment were taken by misinformation and
 “ surreptitious means; that the chief persons
 “ among the clergy had neither been advised
 “ with, nor had they consented, as the court
 “ of Rome had been made to believe; that
 “ the whole derogated from the dignity of
 “ the clergy; that it was a contrivance of
 “ father Parsons and the jesuits, who had the
 “ liberty

* *True Relation*, p. 74.

“ liberty to nominate both the archpriest and
 “ his assistants; that the cardinal protector's
 “ letter, without an express bull from his
 “ holiness, was not sufficient to make so
 “ remarkable an alteration in the government
 “ of the church; that the archpriest being
 “ ordered to advise with the jesuits in all
 “ matters relating to the clergy, was an unbecom-
 “ ing restraint upon their body, and
 “ without a precedent. For these, and such
 “ like reasons, they beg leave to demur in
 “ their obedience to the archpriest, till his
 “ authority shall be more legally established.”*

The Letter of thanks to the Roman court was soon followed by less pleasing information, announcing the opposition to the archpriest, and finally stating that two agents from the clergy were actually on their way to Rome.† The cardinal received the news with indignation, and instantly, by letter, demanded from Blackwell, in the name of his holiness, a minute detail of all things, with the names and characters of the agents and their refractory associates, and the motives on which their resistance was founded.‡—The letter is dated Nov. 10, 1598. About

* Dodd, vol. 2, p. 26.

† Ep. 2, Cajet. Dodd, ib. p. 254. ‡ Ibid.

About the beginning of the new year, the deputies being arrived in Rome, presented themselves before the cardinals Cajetan and Borghese. How gracious their reception was, we may conjecture; for at night, they were arrested in their lodgings, and conducted under a guard of soldiers to the Roman college, where father Parsons presided. He committed them to separate rooms, after their papers, under a threat of excommunication if they with-held any, had been taken from them. That reverend father, it is related, and other jesuits had accompanied the Sbirri. They were now separately examined by this same inquisitor, while another father, officiating as secretary, minuted their answers; after which, being again admitted to the cardinals, they underwent another interrogatory, and were reconducted to prison, where they remained four months.*

Their deputies arrive at Rome and are imprisoned.

Such, thus far, was the issue of a solemn deputation from the Catholic clergy of England to his holiness Clement VIII. !

But

* *Declaratio Motuum*, p. 41, 2, 3, 4. Where is given a minute detail of this extraordinary transaction.

The pope confirms the appointment of Blackwell.

But Clement was now sensible, it seems, either from something that had fallen from the delegates, or from their *Remonstrance*, which he must have seen, that, in authorising the cardinal protector to appoint an archpriest, he had departed from precedent, and that the measure must be amended.—Had he reasoned, that, as the office was unprecedented, a mode of appointment equally unprecedented comported with it best, I presume to think, it would have been more consistent.—He therefore issued a *Brief*, dated April 6, an. 1599.* Its language is dictatorial and indignant, confirming whatever the cardinal had enacted, and superadding the usual mandates of a papal decree.

While this was doing at Rome, hostilities, with an increasing acrimony, were waged between the parties in England. Books were published: the non-complying clergy were distinguished by the name of *appellants*: and a father Lister, in a *Treatise on Schism*, endeavoured to fasten on them the more odious appellation of *schismatics*. The clergy drew up their case, and proposed it to the faculty of Sorbonne, which returned an answer in their favour.

Mr.

* *Breve Clem. VIII.* Dodd, p. 264.

Mr. Blackwell, who, during the dispute, behaved with an indecent partiality, issued a decree against the determination of Sorbonne; threatened the clergy with the vengeance of his power; and actually proceeded to the suspension of Mush and Colleton.*

But when the *Brief* arrived in England, the clergy submitted to its dictates, and tranquillity for a time was restored.

The delegates still remained immured: for we have a letter of April 21,† written jointly by the cardinals Cajetan and Borgheze, to the rector of the Roman college, wherein, after stating that they had examined the cause of the two English priests, for some months detained in his college by his holiness's order, they give it as their opinion, that it is not expedient for the good of the English church, they should immediately return to a country, where, in concert with their brethren, they had practised contentions. Wherefore, in the name of the pontiff and in their own, under pain of censures and the infliction of punishments,

The deputies
are released.

* Dodd, p. 26. *Sententia Facultatis. A Decree*, ib. p. 256. *Breve Clem. VIII.* ib. p. 259. *A True Relation*, p. 76.

† *Litteræ communes*, Dodd, p. 255.

ments, they command the said William Bishop and Robert Charnock, without an expresse permission from his holiness or the cardinal protector, not to presume to enter the kingdoms of England, Scotland, or Ireland, but to abide peaceably and quietly in those countries which had been prescribed to them. By a strict compliance with these injunctions, they may the sooner be permitted to return. In conclusion, father Parsons is commissioned to signify these orders to his prisoners,

The prisoners, however, were released, and soon made their way to England, one account* says, by the interest of cardinal du Perron, then ambassador from France, after they had obtained an audience of his holiness, in which they stated all the motives of their conduct: while another account† mentions, that they rather escaped by flight, taking different routes through Lorraine and Holland.

The clergy still
discontented
appeal to
Rome.

The tranquillity which the *Brief* had restored did not long continue. It forced obedience from the clergy, but it could not reconcile them to all its injunctions. The
clause

* Racine Hist. Ecclesiast. T. 13, p. 608.

† Dodd, vol. 2, p. 26.

clause particularly of the private *instructions*, which subjected their concerns to the jesuits, was intolerable; and now more than ever, when the treatment of their delegates, in their own college, under the intrusive eye of father Parsons, was detailed to them, they bore more impatiently the unnatural controul. The archpriest, besides, though in his private character estimable, and endowed with ability and virtue, was harsh and imperious in command, permitting himself to be hurried on by the impetuosity of the men to whom he owed his promotion.

Charges however unfounded often leave a stigma, and reproachful appellations are not easily removed. Thus it was with the name of *schismatic*, which the ignorant and malevolent often repeated in the ears of the clergy. Hurt by an imputation which should only have provoked a smile, they applied to the archpriest, requesting that some reparation should be made them. His reply was, "that their behaviour had merited the reflection, and that it was rather their duty to make him satisfaction." The intemperate answer roused again their resentment, which was daily aggravated by authoritative edicts, by oppression, and by exertions of power which his commission, it seems, did not always warrant. Once more, therefore, they resolved to

to recur to Rome; and they drew up an *appeal*, in their own names, and in those of the other clergy and laity, against the oppression and mal-administration of their superior. It is dated November 17, an. 1600, with only 32 signatures.*

*Brief from his
holiness.*

This *appeal* drew some attention from his holiness; and nine months after, August 17, 1601, he issued another *Brief*,† addressed to the archpriest, to the clergy, and to the Catholic world, wherein he states the motives which originally induced him to appoint an archpriest, the approbation given by some to the measure, the opposition of others, with the general state of the controversy, which his *Brief* of confirmation, he says, happily closed. He mentions the renewal of the former dissensions, imputing it, in a great measure, to the imprudent expressions and conduct of the archpriest, which renewal, he observes, induced the clergy to appeal, whose appeal he had received and read. But all circumstances maturely weighed, it is obvious, he says, that the whole is the work of the devil, who divides

* *True Relation*, p. 77, 8, 9. *An Appeal*, Dodd, vol. 2, p. 258.

† *Breve Clem. VIII.* Dodd, p. 259.

the pastors that he may scatter the flock. Then, again confirming the office of arch-priest with all its powers, he opens an address to him, and to the ministers of religion of both parties, conveying sentiments the most paternal and pastoral. But he refuses to admit the appeal, which would but widen the breach: he imposes silence on the parties, suppresses their various publications, and, under pain of excommunication, forbids them to write on the subject, or to mention the name of schismatic. The *Brief* closes with a fervourous exhortation, from the apostle, to peace and charity, in which he includes the laity, whom the late dissensions of their pastors may have scandalised.

Though the general sentiments of this *Brief* cannot be too much admired, yet, I own, the clauses of authority disgust me, wherein a pope of Rome takes upon himself to regulate the civil conduct, as it may certainly be esteemed, of British subjects in their mode of writing or treating a private matter of controversy. And, not long before, he had dared to imprison two delegates deputed to him. But why send delegates; or why appeal to this distant court, unless in circumstances against which no private church has a remedy, and for which the canons of general discipline have not provided?

The

Another *Brief*.

The appealing clergy having gained nothing from the last *Brief* but good advice, and the archpriest continuing the same arbitrary and oppressive conduct, under the guidance of father Garnet and the Jesuits, again determined, after some months, to apply to Rome. It was apparent, indeed, they saw from some passages of the *Brief*, that his holiness's mind was not quite hardened against impression. Delegates were, therefore, sent, whose names are not recorded, who so far succeeded as to procure the following *Brief* from the pontiff. It is dated October 5, 1602,* and addressed to the archpriest.

It begins with admonishing him to use his power discreetly, and not to exceed his commission, as, in some cases, he seemed to have done. It defines more minutely the limits of his jurisdiction, and then adds, in order that, in the execution of his office, peace may be the better secured; "In virtue of holy obedience we command you, in transacting the duties of your charge, not to communicate or treat with the provincial of the Jesuits or any members of that society—and we annul the instruction of the late cardinal protector

* Breve Clem. VIII. Dodd, p. 262.

“ protector appertaining to this matter. More-
 “ over, we order that, in things regarding the
 “ adminiftration of your church or office, you
 “ treat not, by letter, or messenger, or by any
 “ other means, with the religious of that
 “ fociety refiding at Rome or elfewhere; but
 “ let all things be referred to us, or to the
 “ protector.” — That this clause, however,
 might not be prejudicial to them, Clement
 immediately praises their christian zeal, and
 fays, that the jefuits themfelves, for the
 eftablifhment of peace, deemed the measure
 expedient. — This is followed by another
 injunction, namely, that, when any of the
 prefent affiftants to the archprieft die, three of
 the appellant clergy be fucceffively chosen by
 him to fucceed them. — He next proceeds
 to condemn all books written againft the
 fociety, or againft any perfons of either
 party; and by a more extenfive compre-
 henfion than before, threatens censures and
 excommunication againft all men, laity, clergy,
 and religious, who, in future, fhall publifh
 fuch works without the approbation and licence
 of the cardinal protector, or have them in their
 keeping: He then closes, in a ftyle of more
 decent fupremacy with another apt exhortation
 to fraternal charity and concord.

Thus was contention terminated. But Reflections,
 when parties have been formed in a com-
 E munity,

munity, such as I have stated, and under the influence of such motives, their duration is written on brass. Political feuds can cease; so can those of civil life; religious animosity alone seems interminable.*

It may appear extraordinary that these internal broils should have agitated the Catholics,

*The MS. *Relation* of the regulars quoted above, p. 34, thus observes: "That the clergy seduced by the artifices of the queen, who meditated the ruin of their religion, and grieved that their hopes of rising to the mitre were frustrated (*se spe episcopatum esse privatos,*) pretending some oppression from the archpriest, appealed to Rome: That their delegates to Rome were furnished with recommendatory letters from the queen and her privy council to Henry IV. of France, who, on his side, recommended the same delegates and their cause to his ambassador at the Roman court, and to the French cardinals there: That, notwithstanding, after mature deliberation taken and the best advice, it was resolved at Rome, that neither bishops, nor the form of an ecclesiastical hierarchy, as established in Catholic countries, should be permitted in England: That, on the whole, it merits particular observation, that when the clergy nauseating, as they did, the nominal government (*sine ulla jurisdictione regimini,*) of an archpriest, thought of introducing an ecclesiastical hierarchy, the queen and the Protestant ministers, with great eagerness, promoted their design, well-foreseeing that the establishment of bishops would soon generate such discord and dissensions among Catholics, as would bring down that ruin on them, which neither the severest laws, nor persecutions, nor torments had been able to effect."—Of this statement, unsupported by any historical facts, the reader, as I before observed, will believe what he can.

Catholics, while the penal statutes, made against them in the preceding years, had not ceased to be executed with extreme severity: The prisons and castles were crowded, (for I find more than fifty; at this time, in the single castle of York,) and many suffered death, that is, 20 priests, from 1598 to 1602, and more than 10 of the laity.* They were convicted; principally under the statute of the 27th of Eliz. by which British subjects ordained abroad; and returning into England, were made guilty of high treason. The laity suffered for aiding and receiving the same.—In addition also to the observation I have made of the inveteracy of those disputes, it is worth remarking, that the *appeal* last sent to Rome against the arch-priest, was dated from Wisbich castle, where many of the appellants then were, and had been long confined.

The general prejudice against this unfortunate order of men had now been growing for many years, aggravated by a succession of great political events, in which, as a body, they certainly had no concern. But, as I have sufficiently observed, the circumstance of their foreign education drew suspicions on

* *Memoirs of Mis. Priests.*

them; and the agitating Parsons was unceasingly at work. So obnoxious was he to government that, on some of the trials, it was considered by the bench as a criminal act, to have been abroad, and *have treated and conversed with Parsons*.* The laws themselves, under an idea that his disciples would escape their application, if described by the common name of priests, distinguish them by the appellation of *jesuits*, as in the act of the 27th Eliz.

To say, if these men had been away, that fewer penal statutes against Catholics would have existed, is a conjecture founded on no light evidence; but to say, in that case, that we should not have been a divided people, and that, before the close of the reign of Elizabeth, the public odium against us would have ceased, is, perhaps, as obvious a truth as history can reveal. By a proclamation of November 7, 1601, the queen banished the jesuits and such priests as espoused their principles and party, forbidding them, under pain of death, ever to return into England; but to such clergy as would give a true profession of their allegiance, she signified her wish

* *Memoirs of Mis. Priests*, vol. 1, p. 348.

with to shew favour and indulgence.* The circumstance, as an omen portending happiness, was eagerly embraced by some of the leading clergy, and they came forward with a *Protestation of Allegiance*, dated January 31, 1602.

“ We acknowledge,” say these patriotic men, “ First, the queen's majesty to have full
 “ sovereignty over us. We protest, that we
 “ are most willing to obey her in all cases, as
 “ far as ever christian priests within this
 “ realm, or in any other, were bound to obey
 “ their temporal prince. And this our
 “ acknowledgment we think to be so grounded
 “ on the word of God, that no authority or
 “ pretence can, upon any occasion, be a
 “ warrant more to us, than to any Protestant,
 “ to disobey her majesty in any civil or
 “ temporal matter.—Secondly, whereas for
 “ these many years, conspiracies against her
 “ majesty's person, and fundry forcible
 “ attempts for invading and conquering her
 “ dominions, have been made, under we
 “ know not what pretences of restoring the
 “ Catholic religion by the sword, by reason
 “ of which enterprises, her majesty has been
 “ moved to ordain and execute severer laws

*Protestation
 of Allegiance
 presented by
 13 priests.*

* Acta pub. xvi. p. 473, 489.

“ against Catholics (who, by reason of their
 “ union with the Roman see in faith and
 “ religion, were easily supposed to favour
 “ these conspiracies and invasions,) than,
 “ perhaps, had ever been enacted, if such
 “ attempts had not been made; * we, to assure
 “ our loyalty, do protest that, in every future
 “ enterprise of this nature, from whatever
 “ potentate, or under what pretence soever;
 “ we will defend her majesty’s person and her
 “ dominions from all such assaults and injuries:
 “ — Thirdly, if upon any excommunications
 “ denounced, or to be denounced against her
 “ majesty, upon any such attempts to be
 “ made, the pope should also excommunicate
 “ every British subject, that would not forsake
 “ the fore said defence, and take part with
 “ such conspirators or invaders: in these,
 “ and in all such cases, — we do think ourselves,
 “ and all lay-catholics bound in conscience
 “ not to obey this or any such-like censures:
 “ — And because it is most certain, that,
 “ whilst we thus declare our dutiful affection
 “ and allegiance, there will not want such as
 “ will

* The reader is requested to remark the words of this second
 clause, which assigns, as the cause of the many severities
 exercised on Catholics, the enterprises of disaffected men. I
 said who those disaffected men were, and I noticed their
 enterprises.

“ will condemn and misconstrue this our
 “ lawful act, yea, and by many suggestions
 “ and calumnies discredit our doings with the
 “ christian world, but chiefly with the pope’s
 “ holiness, unless we maturely prevent their
 “ endeavours therein; we humbly beseech
 “ her majesty that in this our recognising and
 “ yielding Cesar’s due unto her, we may also,
 “ by her gracious leave, be permitted to make
 “ known by like public act, that, by yielding
 “ her right unto her, we depart from no bond
 “ of that christian duty, which we owe unto
 “ our supreme spiritual pastor: and therefore,
 “ *we acknowledge and confess the bishop of Rome to be*
 “ *the successor of St. Peter in that see, and to have as*
 “ *ample, and no more, authority or jurisdiction over us*
 “ *and other Christians, than had that apostle by the gift*
 “ *and commission of Christ our Saviour;* and that we
 “ will obey him so far forth, as we are bound
 “ by the laws of God to do, which we doubt
 “ not will stand well with the performance of
 “ our duty to our temporal prince, in such
 “ sort as we have before professed. For as we
 “ are most ready to spend our blood in the
 “ defence of her majesty, and our country,
 “ so we will rather lose our lives than infringe
 “ the lawful authority of Christ’s Catholic
 “ church.”*

I have,

* Dodd, vol. 2, p. 292.

I have, in some passages, abridged this admirable *Protestation*, which, it would have been well, the successors of those enlightened men had made their own, and annually published to the country as the unequivocal expression of their religious and political sentiments.

It was delivered to the lords of the council who testified their satisfaction, signed, indeed, by only 13 out of more than 400 priests then resident in England; but at the head of those thirteen were the names of Dr. Bishop, Colleton, Muth, and Charnock, with whom the reader is, by this time, acquainted. What they had foreseen soon happened. Their act was represented as little less than schismatical: the university of Louvain gravely pronounced, that they had sinned through ignorance and imprudence, but that it was not the sin of absolute heresy;* and Dr. Champney, one of the thirteen, a man of singular endowments, being, some years afterwards, appointed director to a convent of nuns, was compelled to surrender the important charge, on its being

* Remonstran. Hibern. p. 32.

being notified to his fair penitents, that he had signed that horrible *Protestation*! *†

In the ensuing year, March 24, an. 1603, queen Elizabeth died.

Had the Catholics in a body, on the accession of king James, waited on him with the *Protestation of allegiance*, I have just stated, as containing their true and loyal sentiments, we should, probably, have heard no more of recufancy or penal prosecution. His good will to the professors of that religion, from the earliest impressions, was deeply marked on his heart; he could look, he had reason to think, for political support from them, if the exigences of events might require it: but in the creed of the majority, at least of the majority of their ministers, he knew, there was a principle admitted, that of the papal prerogative over the crowns of princes, which could ill accord, truly, with the exalted opinion he himself entertained of royal dignity and

King James's
abhorrence of
the deposing
doctrine.

* Dodd, vol. 3, p. 82.

† The *Relation* of the regulars says: "Cast in the hope they had imprudently conceived (of re-establishing a hierarchy,) thirteen of those appealing clergy sided with the queen, thus falling from their religion (*a Catholica religione sensim decedentes.*) They dared openly to profess, what their hearts had inwardly plotted."

and independence. "That arrogant and
 "ambitious supremacy of their pope, (he
 "observed in his first speech to parliament,)
 "whereby he not only claims to be spiritual
 "head of all christians, but also to have an
 "imperial civil power over all kings and
 "emperors, dethroning and decrowning princes
 "with his foot as it pleaseth him, and dis-
 "pensing and disposing of all kingdoms and
 "empires at his appetite." For this, he says,
 they are no way sufferable to remain in this
 kingdom. He also charges them with affas-
 sinating and murdering kings, "thinking it
 "no sin, but rather a matter of salvation, to
 "do all actions of rebellion and hostility
 "against their natural sovereign, if he be
 "once cursed, his subjects discharged of their
 "fidelity, and his kingdom given a prey, by
 "that three crowned monarch, or rather
 "monster, their head."*

This rooted opinion of James, thus strongly
 expressed, is the clue that unfolds some trans-
 actions of his reign, and particularly accounts
 for many acts of severity against a society of
 men whom naturally he loved. He had not
 been twelve months on the throne, when he
 issued

* Ap. Rapin, vol. 2, p. 165.

issued a proclamation for banishing "all
 " manner of jesuits, seminary priests, and
 " other priests whatsoever, having ordination
 " from any authority by the laws of this
 " realm prohibited." — "Considering," he
 goes on, "that absolute submission to foreign
 " jurisdiction, at their first taking orders, doth
 " leave for conditional authority to kings over
 " their subjects, as the same power by which
 " they were made, may dispense at pleasure
 " with the straitest band of loyalty and love
 " between a king and his people."* — The
 statement is not accurate, but it shews the
 conviction of the king, for which I quote the
 passage, has yist, anhoet yam yd order
 hutoris bumsel gateniged primus to yet a bar

I pass over the gunpowder plot laid for the
 5th of November, 1605, the source of yet
 unextinguished prejudices against English
 Catholics; the part some jesuits are said to
 have had in that plot; and the death of father
 Garnet, executed for misprision of treason.

Nor shall I dwell on the famous oath of
 allegiance, enacted at the beginning of the
 following year, about which so much has been
 said and written. Suffice it to say, that both
 parliament

Oath of alle-
 giance.

* A Proclamation, Dodd, p. 436.

parliament and king, aware that some Catholics, from conscientious scruples, objected to the oath of supremacy, and still that there were many whose civil principles were sound and loyal, seriously desired to offer them a political *Test*, which should establish a just discrimination, that is, should shew them who might be safely trusted. In this view, the *oath of allegiance* was framed, to which, it was thought, every Catholic would cheerfully submit, who did not believe the bishop of Rome had power to depose kings, and give away their dominions.

The oath, accordingly, when tendered, was taken by many Catholics, laity and clergy; and a ray of returning happiness gleamed around them. But a cloud soon gathered on the seven hills; for it could not be that a *Test*, the main object of which was an explicit rejection of the *deposing power*, should not raise vapours there.

Condemned
at Rome.

It was conveyed to the hands of father Parsons, and from them to those of the pontiff, then Paul V. the late cardinal Borghese. Parsons (after having, in vain, attempted, by his writings,* to set aside the royal line of Scotland,

* *A Conference about the next Succession to the crown*, by R. Doleman, that is, R. Parsons,

Scotland, and then, in another work,* declared, that he had ever favoured that succession,) had seen, with pain, James ascend the throne, and now only proposing to give relief to the Catholics by an attack on that power, which he had uniformly laboured to exalt: He laid the hateful instrument before the pontiff: Paul deliberated, and condemned it, as *containing many things obviously adverse to faith and salvation*, in a Brief, addressed to the English Catholics, October 23, 1606:†.

Many doubted the authenticity of the Brief, knowing the arts which were practised in the Roman court; or suspecting the insidious agency of Parsons, continued to manifest their allegiance. On this, a second Brief followed, September 22, in the ensuing year, which established the validity of the former, and enforced submission.‡

The Catholics were thrown into the utmost confusion; new dissentions arose; controversies were renewed; while the king, the government, and the nation, strengthened in their first

Distress of the
Catholics.

* Preface to *The three Conversions of England*.

† Ap. Dodd, p. 463.

‡ *Breve alterum*, Dodd, p. 464.

first prejudices, were now authorised to declare; that men whose *civil conduct* was subject to the controul of a foreign court could, with no justice, claim the common rights of citizens.—The laws of the preceding reign were ordered to be executed, and new ones, additionally severe, were enacted.

With what face can it be asserted, that the Roman bishop or his court have constantly promoted the best interests of the English Catholics, when, as we have just seen, their religion itself was exposed to danger, and themselves and their posterity involved in much misery, that an ambitious prerogative, (for such, surely, is the power of deposing princes,) might not be curtailed?

Writings for
and against
the oath.

The archpriest, who, from the beginning had approved of the oath, would not surrender his conviction of its propriety. He took it himself, and, by a public *letter*, recommended it to his clergy. Many followed his example. Cardinal Bellarmin addressed the archpriest, whom he had formerly known, lamenting his fall, which he compared with that of the venerable Osus. Blackwell replied. The king himself now engaged in the controversy, publishing his *apology for the oath*, against the two Briefs and the Letter of the cardinal. Bellarmin returned an *answer* to the royal controversy;

tist;

tist; when James reprinted his *apology*, to which in refutation of the charge of his being a persecutor of the catholics, he annexed a *Preface*, addressed to all Christian princes. At the close of this *Preface*, after having enumerated the many benefits and favours he had bestowed on the Catholics, he says: "In recounting where-
 " of, every scrape of my pen would serve but as
 " a blot of the pope's ingratitude and injustice,
 " in meeting me with so hard a measure (the
 " condemnation of the oath) for the same." The cardinal again replied, which brought forward the great champion for the oath, Roger Widdrington, a learned Benedictin monk.

But before this time, the archpriest, by a mandate from Rome, had been deposed. The last Brief of Clement had released him, indeed, from the controul of the Jesuits; but it had also cancelled their friendship. They viewed him no longer as the instrument of their policy; and his late behaviour in favour of the oath, which themselves uniformly resisted, would apologise for their dereliction, and make it an act of fealty to the Roman bishop. He was deposed in 1608, having governed 10 years.

Blackwell
 deposed and
 succeeded by
 Birket.

In

INTRODUCTION.

In the two preceding years application had again been made to Rome for Bishops,* but without success:† now, therefore, on the deposition of Blackwell, Mr. George Birket was nominated his Successor, with the same title and jurisdiction. He was a man of great mildness and moderation, and had been one of the original assistants to his predecessor. What had recommended him most, was the opinion
father

* Epist. P. August. Dodd, p. 477: a curious letter, which exhibits the state of parties, and delineates many leading characters among the clergy.

† The *Relation* of the regulars thus states it: "The ambition of the clergy aiming at episcopal dignity was not yet satisfied; for though, through the remaining part of the pontificate of Clement VIII. their leaders had seemed to slumber, they now roused on the elevation of Paul V. and dared to attempt the same game. But he versed in business, well acquainted with the concerns of England, and who already by two Briefs had condemned the *oath* of the king, would consent to no change, and resolutely rejected all applications for a bishop and the establishment of an ecclesiastical hierarchy. In this he was directed by the opinions of his nuncios in France and Flanders; who had themselves collected the sense of the English Catholics. One thing alone he added to the established form, which was, "that the apostolic nuncio in France should, in future, be the ordinary of England, and superintend its church in the name of the Roman See." On this the clergy's agents returned to their own country, where all things remained quiet till the death of Paul.—Speaking of the late conduct of Blackwell, the same *Relation* had said: "He, grown fullen and decrepit, and intimidated, perhaps, by the severe edicts lately made against Catholics, took the oath prescribed by the king; and George Birket was saluted archpriest in his stead."

father Parsons entertained, that, as he was gentle and had long been his friend, it would be in his power to rule him, and through him to regain that ascendancy of controul over the concerns of the clergy, which he had been compelled to relinquish. With this view, he had had the interest either to get that clause omitted in the Brief of nomination, which prohibited the archpriest to consult with the Jesuits, or to procure an interpretation of it from his holiness that amounted to a repeal.*.

Mr. Birket, though a friend to peace, was not disposed to sacrifice all manliness of character, much less the honour and interest of the Catholic clergy to the insidious friendship of a man whose policy he must have despised. Parsons opened a correspondence with him, of which the originals, on his side, are extant, and which (if all that he has besides written had perished, with all that has been related of him) would exhibit a perfect transcript of the man.†

Parsons
corresponds
with Birket,
and dies.

* *Letters of Parsons* ap. Dodd, 2, 14; p. 483.

† *Letters* ib.

From these letters we learn, that Lord Mountague, about two years before, with other Catholics, had sent a petition for a bishop to his holiness, which petition father Parsons had thought proper not to present;—that Mr. Birket was dissatisfied with his agent at the Roman court, Thomas Fitzherbert, the devoted friend of Parsons, and who afterwards became a Jesuit;—that his holiness had expressly signified to father Parsons, that he would have no agents sent from England to prosecute the petition for bishops, of which motion, he says, *he himself had ever been a favourer*;—that the clergy, still fixed to this point, and resolved to overturn the interference, which the Jesuits practised in their concerns, were now sending an agent to Rome;—that whatever oaths of allegiance the English Catholics might think of proposing, none would be accepted at Rome, which either directly or indirectly, regarded the authority of the see apostolic;—that Dr. Smith, the new agent of the clergy, with his companion Mr. More, were arrived in Rome (June 6, 1609), with whom neither he nor Mr. Fitzherbert were pleased;—that the agents had obtained from the pope, with his concurrence to the measure, that the Jesuits should have no concern in the government of the clergy;—that Dr. Smith had given offence by advancing these two propositions, *that it was no article of Catholic faith, that the pope had a power of deposing princes, and*
that

that there is no true Catholic church now in England, so long as they have no bishops.

To these letters of Parsons are subjoined some from Fitzherbert, which speak the same language, and breathe the same spirit.*

Dr. Smith returned to England, leaving Mr. More in the agency behind him, having succeeded in some points, one of which I have mentioned. But in his application for a bishop he was effectually countermined by father Parsons,† notwithstanding the declaration, twice repeated in his letters, that he had always been a friend to the measure.

On the 15th of April, 1610, died this extraordinary man, Father Robert Parsons, the calamity of the English Catholics, in his 64th year.‡

Mr.

* Dodd p. 491.

† Dodd vol. 3: p. 77.—The statement I quoted from the *Relation* of the Regulars regards principally, I believe, this agency of Dr. Smith.

‡ I will mention a work of some curiosity, *Gathered and set down* by R. P. 1596, entitled *a Memorial for the Reformation of England*. “It contains certain notes and advertisements, which might be proposed in the first Parliament, and National council of our country, after God, of his mercy, shall restore it to the Catholic faith, for the better establishment and pre-

Death of
Birket.

Mr. Birket, mean while, alive only to the welfare of his flock and the interests of the clergy, incessantly belaboured to procure them a bishop, though the measure would have despoiled him of his present pre-eminence, and to re-establish universal harmony. His endeavours in the latter point, were not totally void of success; and he died discharging the same great duty. From his bed he wrote a letter to the Jesuits, dated April 3, 1614, inculcating peace and charity. "I have dealt, he says, with
" the chiefest of my own body, whom, I know,
" you have held in greater jealousy, than there
" is cause. They only desire that, in their
" government, you meddle no further than
" they do in your's. This being done, there
" will be no occasion, but that you will friend-
" ly and charitably set forward this great work
" you have undertaken. I wish you all as well as
" I do my own heart; and I rest from my bed
" your brother in all charity and love."*

The

"servation of the said religion." They are the author's words. He had foreseen this event as likely to happen at no distant period, and, in confidence of his own superior lights, had prepared for it a system of general instruction. His system comprises what may regard the whole body of the people, then the church establishment, and finally the laity, in the king, lords, and commons. But there is little in it that attests any enlargement of mind or just comprehension of the subject. They are the ideas of such a mind as father Parsons will be understood to have possessed, narrow, arrogant, monastic.

Priests suffer
and die in
defence of
the Papal
prerogative.

The state of the catholics, particularly of the clerical order, during these last years, had been peculiarly irksome. They who had taken, or took, the oath of allegiance, were harassed by a papal decree, which came in with Birket, whereby they were deprived of all their jurisdiction, and consigned to penury and ignominy. Of these even many voluntarily surrendered themselves into the hands of justice to obtain a scanty maintenance, an act of direful necessity which the men of their own faith could represent as a sinful apostacy from religion.—

“ I understand, says father Parsons to Birket,
“ that your unfortunate predecessor with his
“ company, (confined in the Clink prison)
“ have had sent them by my lord archbishop
“ twenty pounds a piece, and that he is per-
“ mitted to go abroad at his pleasure.—

“ It will be good that his holiness be informed
“ thereof by you, and of all such things as
“ there do pass.” On the other hand, the laws of Elizabeth were carried into execution, and many were committed to prison, and some executed. To these the oath of allegiance was tendered; they refused it, and suffered; among whom we may be surprised to find Cadwallader and Drury, two of the thirteen who, at the close of the last reign, had signed the *Protestation* of allegiance. But the Bulls of Paul, it seems, had extinguished all consistency of reason, and inspired them with a love of martyrdom. I

venerate the virtues and the firmness of these men ; but truly it is pitiable to see such virtues and such firmness expended on a cause, at the name of which reason recoiled, and religion blushed. They died, because when called on by the legal authority of their country, they would not declare, that the Roman bishop, styled the vicar of him *whose kingdom is not of this world*, had no right to dethrone princes.* Their foreign education had inspired this strange conception of the papal prerogative,

And Paul himself could sit undisturbed in the Vatican, hearing that men were imprisoned, and that blood was poured out in support of a claim, which had no better origin, surely he knew, than the ambition of his predecessors and the weak concessions of mortals ; he could sit and view the scene, and not, in pity at least, wish to redress their sufferings, by releasing them from the injunctions of his decree. Even when thirteen priests, confined in Newgate for having refused the oath, in all humility and with much enthusiasm in his cause, supplicated his holiness to inform them what those things in the oath were, which he had pronounced to be *adverse to faith and salvation* ;† we do not hear, that

* See *Memoirs of Mis. Priests*, vol. 2. from the year 1607 to 1618.

† *A Supplication, &c.* ap. Dodd, vol. 2. p. 52.

that he returned them any answer. “ We are
 “ very desirous to know, they say, because
 “ hitherto it has not clearly appeared.”

In our church *Confirmation* is held to be a Sacrament that gives peculiar graces, and which, in the circumstances of difficulty and danger to which the faith of the English Catholics was then daily exposed, ought always to be administered. But since the death of Watson, a term of at least 30 years, no bishop, the sole minister of that sacrament, had been in England; and the first pastor, though pressed to it by reiterated petitions, was still resolved there should be none. One year passed after the death of Birket, when Dr. Harrison was nominated archpriest. Agreeable to all parties, to the Jesuits having, at one time, enjoyed the confidence of Father Parsons, to the clergy who knew his virtues and his mind placed above the reach of faction, to the Roman court whose esteem he had acquired by a late residence of five years amongst them, Harrison united the suffrages of all.*

Dr. Harrison
 succeeds to
 Birket.

In spite of every effort to free themselves from the controul of the Jesuits, the clergy hitherto had not been able to effect it. The decrees

He aims to
 free the clergy
 from the
 controul of the
 Jesuits.

* Dodd, vol. 2 : p. 368.

decrees of Rome were eluded, often, it is true, with the very sanction of the court which had passed them; and from the circumstance of a large portion of the clergy being attached to the society, it was hardly possible to break down the ascendancy they had gained. In the foreign seminaries, originally designed for the education of clergy, they had the principal rule, being the rectors of the houses, the administrators of the funds, and the directors of conscience. Even in Douay, which the clergy, as I have before observed, bore most reluctantly, this economy had long prevailed. In 1612, in consequence of a visitation permitted by Rome, the president of the house, Dr. Worthington, the passive slave of the Jesuits, had been removed;* the administration committed to the strong arm of Dr. Kellison; and those arrangements overturned, which, with a view to their own interest and elevation, the fathers of

* It is remarkable that this Dr. Worthington, two years before, by the interest of father Parsons, he was promoted to the presidency of Douay college an. 1599, had, by a special vow bound himself to that holy father. "Now, in all dutiful humility, he says, I beseech you, for God's sake, to accept of me into your particular charge to direct, command, and govern me as your subject." MS Letters in my hands.—He had before made a similar vow to Dr. Allen. No wonder if, the head of it being thus bound to father Parsons, the college of Douay was soon subjected to his controul. Such arts were used to gain ascendancy!

of the society had established. But the house was oppressed with debts, and distracted by internal factions: discipline was relaxed, and learning languished,*

Sensible, that all attempts to reform evils at home would be vain, unless the source of them were purified, the archpriest, now possessed of power, resolved to support Dr. Kellison and give energy to his exertions. When this were effected, he would proceed, and overturn, if possible, the irregular government of which himself was now the head, and which served to foment dissensions, keeping alive the alarms of the clergy, and inspiring the Jesuits with a sanguine hope that their plan of domination might finally prove successful. Father Parsons was dead; but he had left behind him his mantle, and with it an ample portion of his spirit,

Dr. Kellison's endeavours, thus powerfully invigorated, seemed to promise success. He had established able masters within his own walls, and shaken off the interference that galled him, when an order unexpectedly came from Rome, that his scholars should frequent the public schools of the Jesuits, as
for

* Dodd, p. 388. vol. 3: p. 89.

for some years they had done, and that one of that order should be their spiritual director.* —This it was that drew from Dr. Harrison and his assistants a *memorial*,† which is extant, addressed to Paul V. an. 1619, wherein they state, much at large, the general grievances of the clergy, and pray for redress. “ It is a “ melancholy reflection,” they say, “ to see “ all things in the utmost confusion amongst “ us; and that nothing should be approved “ of, either in the seminary, or elsewhere “ among the clergy, but what first passes “ through the jesuits’ hands, and receives a “ sanction from them; as if we were destined “ to be their slaves.” Then, having enumerated a long list of other grievances, they add; “ Yet, though the jesuits are masters of five “ seminaries, and that of Douay only is in our “ hands, it is so influenced by their contri- “ vances, than we can scarce call it our own. “ They daily endeavour to distress it more “ and more; and, as the prophet Nathan said “ to David, feast themselves on the one little “ lamb, which the poor man had bought and “ nourished up.” They conclude: “ The “ whole of the matter, therefore, lies in this “ one

* Dodd, vol. 2, p. 500.

† Ibid. *The Grievances*, &c.

“ one point: That the jesuits may be prohibited from exercising any power or jurisdiction over the clergy, or their colleges; with an injunction not to intermeddle with our affairs, no more than we do with theirs.”

The firmness of Dr. Kellison finally prevailed, and order, and discipline, and independence were established in his college.

Dr. Harrison, with the leading clergy, now turned their views to the accomplishment of the other part of their plan. But here, probably, they would have been foiled, as always before they had been, by the stratagems of a superior faction, if an event of great political moment had not come into agitation, in the success of which the court of Rome deemed itself interested. I have said, that the pure love of religion, detached from human policy, has seldom seemed to regulate the conduct of that slow-deciding cabinet. The event I allude to, was the marriage-treaty between Charles, prince of Wales, and the Infanta of Spain.

About the beginning of this year, 1621, the archpriest died,

Unabashed

The clergy
again resolve
to apply to
Rome for a
bishop.

Unabashed by refusals, however often repeated, rather than chuse their own bishops, which their good sense, aided by reading, must have often told them was a measure most consistent, as I have said, with the rules of venerable antiquity, the clergy again applied to Rome. The king's behaviour inspired them with confidence. Buoyed up with the thoughts of the manifold advantages which would accrue from a match with Spain, he had begun to shew great indulgence to the Catholics, being aware that such lenity would recommend him to the Spanish court, and that it would be a means also of securing the good will of the pontiff, from whom it would be necessary, in case of his son's marriage, to obtain a dispensation. He occasionally saw some of the principal clergy, from whom he understood how anxious they were to procure a bishop, to superintend their concerns. The measure was not displeasing to the king, provided they chose a man of moderate principles, and not disagreeable to himself. He knew Dr. Bishop, and sometimes saw Mr. Colleton; and understanding it was agreed on to send an agent immediately to Rome, he recommended to them, what he had most at heart, to promote his son's match, and facilitate, when it should be called for, the necessary dispensation.*

The

* Dodd, vol. 2, p. 366, 368, et passim.

The agent whom the clergy deputed to his holiness, was Mr. John Bennet, accompanied by Mr. William Farrar; and they arrived in Rome about the end of autumn of the year 1621, when Gregory XV. had succeeded to the chair of St. Peter. Being admitted to audience, Mr. Bennet, in an elegant speech which is preserved, declared his commission: He spoke of the favourable dispositions of the English king, of the intended match, of the dispensation that would be implored; and he concluded with a persuasive address, praying that his holiness would listen to the supplication of the afflicted English church, and give them a bishop, or bishops, with canonical and *ordinary jurisdiction*.—He then presented a *Memo-rial*, the purport of which was to shew that, in lieu of the late *extraordinary* government of archpriests, that of *regular* bishops was absolutely necessary; and this was proved from the primitive institution by Christ, from the practice of the apostles and the perpetual usage of the church, from the authority and decrees of councils and popes, from the nature of the episcopal functions, from the necessity of restoring and preserving the ecclesiastical hierarchy and discipline, finally from the modern example of all Catholic nations.*

This

* *Transactions relating to the English secular clergy*, by John Serjeant, an. 1706. It is the *abstract* of a much larger work
never

This *Memorial* was followed by other writings of the same tendency, offered to the pope and principal cardinals; and it began to appear that success would crown the measure: for the consideration, that the king of England might now be gratified, that it might promote the Spanish match, and that the event of that match might ultimately issue in the reunion of a great nation to the apostolic see, weighed, we may be allowed to think, not lightly on the mind of Gregory.

Mr. Bennet, therefore, after some months, was able to inform the clergy, that a *Decree*, similar to those granted to other countries, would be obtained; but that his holiness, unwilling to give his majesty any cause of offence, intended to allow them only one bishop, whose title should be taken from some district in Asia, and not from England; that the *jurisdiction*, however, of this bishop, should be what is usually received, known, and approved in all provinces, and what each particular bishop exercises in his diocese.*

But

never published, and preserved, I believe, in the *archives* of the English chapter. This *abstract* I shall often quote, not being in possession of the MS. originals.

* Transactions, p. 19.

But could it be, the reflecting reader will ask, that the thousand obstacles, which had hitherto intervened, should be at once removed, and the measure, in a flow of general approbation, be completed? It was obvious to think that a court, jealous of the plenitude of its power, would not let go any portion of it, unless compelled by some preponderating motive of policy. It would attempt, at least, to satisfy the petitioners with a less valuable boon, with the offer of the *title* of bishop; but that title should possess only *delegated* powers, such as the archpriests had held. A bishop thus restricted would bear the real character of an agent or an emissary, and be, in all things, dependent on the will of his employers.—And would the jesuits, it might again be asked, possessing their usual influence in the Roman court, now permit their enemies to triumph, without a single effort?—Mr. Bennet perceived there was a demur; and he was not at a loss to conjecture, from what quarter and from what motives that demur proceeded. He, therefore, presented another *Memorial* to the same cardinals, in strong and bolder language.

It stated that, after thirteen months deliberation, his holiness had decreed to give a bishop to the English clergy; but that, when the measure seemed completed, a new consultation had been instituted to determine, whether

Mr. Bennet
presents a
strong
memorial.

ther the jurisdiction of that bishop should be *ordinary*. “ Truly, it goes on, *the whole purport of our petition was*, that the *delegated* power of the archpriest should be changed into a power, *episcopal and ordinary*. — We even shewed by many documents, that, not only the former *delegated* power, but that *any new and unusual jurisdiction*, would be not only *useless*, but, in these times, even *ruinous* to us.—It is objected, that the society of jesuits by this arrangement is aimed at; whence dissentions and feuds will arise.—I answer: It is plain to every one that, publicly and privately, those fathers have exerted all their strength and artifice to oppose this negotiation, and from this only motive, that they are enemies to that *ordinary* jurisdiction, whereby discipline is maintained.—Then we humbly beg that it be considered, whether it be just, that the episcopal order be banished from the church, because the jesuits, in all places or in some places, oppose the institution. Shall it be refused to the faithful of two kingdoms, that their desires may be gratified? It is finally objected that no *ordinary* jurisdiction is committed to bishops out of the limits of their own dioceses; and therefore that the power now to be conferred, must necessarily be *delegated*.—I answer: The *ordinary* jurisdiction of bishops is more ancient than the division and limits of districts: besides, by the late regulation of Paul V. the Nuncio residing in France

France was appointed the *ordinary* of England and Scotland:”*

The energy of this *Memorial* gained attention; for within a few days, Mr. Bennet was permitted to deliver into the cardinals the names of three gentlemen, Dr. Kellison, Dr. Bishop, and Dr. Smith, persons, he said, nominated and approved by the clergy. Here was matter for new deliberation; and it consumed more than two months.

They were men of tried virtue and of large endowments; but in the eyes of their adversaries and of the Roman court, that virtue and those endowments were tarnished with many stains.—Dr. Kellison, the president of the college in Douay, had been long labouring to subvert the Jesuitical controul, which had oppressed and disgraced his seminary. He was also suspected of not being sufficiently hostile to the oath of allegiance.—Dr. Bishop's sins were manifold. He, the reader will recollect, had originally opposed the archpriest, had come to Rome, where he was immured under the eye of father Parsons, had himself penned and signed the *Protestation* of allegiance to Elizabeth, and

* Transact, p. 20.

and was also said not to execrate the oath.— Dr. Smith had been recently at Rome, an agent from the clergy, and his whole behaviour there was fresh upon recollection. “ And truly upon my conscience,” had father Parsons said of him, “ I never dealt with any man in my life more heady and resolute in his opinions than is the doctor.”*

Dr. Bishop is nominated to the see of Chalcedon.

On whom of so unworthy a triumvirate shall the lot then fall? — Dr. Bishop was thought to be agreeable to the English court; and besides, he was in his 70th year, when death, it might be presumed, would soon lay his mitre low, and place the English church in its usual state of anarchy. He, therefore, in February 1623 was declared *bishop-Elect of Chalcedon*; and a *Bull* for his consecration was issued on the 15th of the ensuing month, which was followed on the 23d, by a *Brief* specifying his destination and commission for England. He was consecrated at Paris, where he had resided some years, and, on the 31st of July, arrived in England.†

* Dodd, vol. 2, p. 487.

† Dodd, ib. p. 362.

With its wonted partiality, as it seems to me, and, in some regards, insincerity of narration, the *Relation* of the Regulars thus represents this event: "Gregory XV." it says, "had just been raised to the pontifical chair, when the English clergy, whose practice it almost ever is to occupy the first openings of the new court; as best adapted to their projects, again sent agents to Rome. The king had suspended the severe execution of the laws, under the hope, that it would facilitate a dispensation, should the projected match succeed between the Infanta and his son. Of this circumstance the clergy availed themselves to press more warmly their petition for a bishop. The cardinals were divided in opinion; while they who were most conversant with the affairs of England, viewing the present calm as the forerunner of a greater tempest, opined that nothing should be changed. But cardinal Bandini, whom letters from the king of England had drawn over to favour the dispensation, and whose influence with the pontiff and his nephew Ludovisi was predominant; was of a contrary opinion; and his advice prevailed: Wherefore, the long-solicited point was finally granted, and William Bishop was nominated to the see of Chalcedon; himself one of the thirteen priests, who, in the year 1602, had signed that *Protestation* of allegiance so greatly injurious to the apostolic see."

*From the nomination of the bishop of Chalcedon an. 1623, to
the agency of Panzani an. 1644.*

Extent and
nature of the
powers grant-
ed to the
bishop.

THE *Bull** for Dr. Bishop's consecration to the see of Chalcedon was sufficiently ample, conveyed in the usual style of the Roman court, wherein the lowly *servus servorum* soon drops the menial character, and rises to the demeanour and lordly energy of an all-powerful monarch. He is appointed, *post longum mentis nostræ discursum*, to the church of Chalcedon in the ancient Bithynia; but his residence, *speciali gratia*, is dispensed with, so long as that church remain in the hands of infidels. — The *Brief*,† which directs the exercise of his jurisdiction to the kingdoms of England and Scotland, specifies the powers with which he is invested: “When
“ thou shalt be arrived in those kingdoms, we
“ grant

* Dodd, vol. 2, p. 465.

† Id. vol. 3, p. 7.

“ grant unto thee licence, *ad nostrum et sedis apostolicæ beneplacitum*, freely and lawfully to enjoy and use all and each those faculties lately committed by our predecessors to the archpriests, as also such as *ordinaries* enjoy and exercise in their cities and dioceses.”—These two instruments were followed by a *Decree*,* enabling him to chuse a vicar general, and appoint such other officers as he might judge necessary; but which terminated with this general clause, that the whole of the powers and jurisdiction granted him should cease, whenever England returned to the Catholic faith, and its sees were filled with regular ministers,

It is true, as I have stated, that the clergy applied for a bishop with *ordinary jurisdiction*, meaning he should be no Roman *delegate*, as the three archpriests had recently been: it is likewise true, that Dr. Bishop, as will be seen, was received in England as such, that he viewed himself as such, and that the general language of the papal instruments imported as much; still when we consider the saving clause, *ad nostrum et sedis apostolicæ beneplacitum*, applied to the exercise of that jurisdiction which is alone essential

* Id. vol. 2, p. 466.

essential to bishops, (such as *ordinaries* enjoy and exercise are the words of the *Brief*,) it must be admitted that the power granted was *revocable at will*, that it was therefore a *delegated* power, and that Dr. Bishop was no more than a *vicar apostolic* vested with *ordinary* jurisdiction. The events which soon followed under his successor will evince more clearly the truth of this observation. Thus was the artful policy of the Roman court, which never willingly lets go a power it has once been permitted to exercise, rendered more conspicuous; and the clergy's agent, Mr. Bennet, did but shew how completely his honesty was duped, when, having read the *Brief* of his holiness, in exultation of mind he was heard to exclaim, *rem habemus, verba non moramur ! **

He is well received, and institutes his Chapter.

The bishop was received with great marks of respect by the clergy and laity. The monks of the Benedictin order† also came forward, welcoming him as *ordinary* of England, and promising filial love and reverence; nor do I find that, openly at least, his government was opposed by any.

Those

* *Transact.* p. 36.

† Dodd, vol. 2, p. 467, 8.

Those monks, it may be proper to observe, had been lately formed into an English congregation, having established themselves in different houses abroad: and about the year 1617, the friars of the order of St. Francis had been founded in Douay. Of these orders some were now in England.

The general state of Catholics continued such as I have described it, favoured clandestinely by the king, whose mind was still fixed on the Spanish match, but daily harassed by the popular or puritanic party both in and out of parliament. The utter dislike the nation had expressed of that alliance, served to foment the general odium of popery; but the match broke off, and with it vanished the brilliant dream the Catholics had indulged of a returning happiness.

Meanwhile, the bishop of Chalcedon proceeded in his functions; and to obviate, as far as might be, the repetition of such attempts as had often disgraced the Catholic cause, and to give a permanent security to an establishment, of which he thought himself the canonical head, with the advice of many able canonists, he instituted a Dean and Chapter, as a standing *senate* and *council* for his own assistance, and, *sede vacante*,

vacante, to exercise *Episcopal ordinary jurisdiction*.^{*} That his power, if truly episcopal, extended to this, the discipline of all ages had clearly evinced. But some doubts seemed to hang on his mind: "What defect," he says, "may be in my powers, I shall supplicate his holiness to make good from the plenitude of his own."[†] The number of canons was 19, at the head of whom was Mr. Colleton, the dean, a man whose firm integrity I have already praised. At the same time, for the government of the distant provinces, our prelate appointed five vicars general, and twenty archdeacons, with a certain number of rural deans.[‡]

Now,

^{*} Dodd, vol. ii. p. 468, 470.

[†] *Instrumentum Capituli*, Dodd, p. 468.

[‡] The *Relation* of the Regulars thus, in a few words, dispatches the history of this interesting transaction: "How great was the *wonder*, rather the *scandal* which this unexpected novelty (the appointment of a bishop) excited in the minds of the English Catholics, can hardly be expressed, particularly when they perceived this bishop of Chalcedon *usurp* the name of *ordinary*, and more than the power of a patriarch, in erecting a *chapter*, and appointing over it a dean in the person of Colleton, who was another of the 13 priests that had signed the *Protestation*."—How admirably do these few lines delineate the genuine spirit of party.

Now, it seemed to many, that the English Catholic church was re-established in the renovation of her hierarchy. But the fond imagination, I fear, was founded on no truth; or, if it could, at this time, be said that we had a church, there was no period, since the reformation, in which it might not have been asserted with equal propriety. The archpriests, it is allowed, were delegated agents; and such, I have shewn, was the bishop of Chalcedon. His commission was more extensive, but his powers were *revocable* at the will of his employer, *ad nostrum et sedis apostolicæ beneplacitum*. It is not with such a precarious head that any *ordinary* jurisdiction is exercised; that a hierarchy is established; that a church is formed. The Roman pontiff still continued to be, what the clergy of England had, for many years, *permitted* him to be, their only bishop. How then, with him at our head, could it, in the estimation of such men, be said, that we were without a church, and a hierarchy of transcendent excellence? He governed us, at one time, by the agency of Dr. Allen, perhaps by that of father Parsons; at another by his archpriests; now by the bishop of Chalcedon; and in after times, as it will appear, by a series of similar delegations. To the pride of some minds such an extraordinary œconomy might be flattering.

Reflections
on our new
hierarchy.

But

But the reader will recollect an opinion, which I expressed on better grounds,* namely, that we always had a church, because we always had a priesthood regularly succeeding in the ministry over a believing flock, and united to the common centre of unity. And if the hierarchy, of which this priesthood is a component part, was imperfect, let the blame fall where it should, either on the clergy, who, instructed by venerable antiquity, neglected obvious means to give to themselves and the faithful a regular superintendant pastor, or on the Roman bishop, who, when applied to by reiterated petitions, agreeably to the rules of a more modern discipline, refused compliance, preferring rather to see the remains of the British church unassisted in its spiritual exigencies, than to part from a power, which a vain prerogative had established. The title of *universal bishop* which St. Gregory, with the strongest expressions of horror, had rejected from him,† his successors, in later days, seemed fondly to ambition; at least, in their conduct to the British Catholics, they have, to the present hour, retained the proud pre-eminence, and exercised it. And let it be remarked that, in the face of the bishops assembled

* Page 42.

† Lib. 4. ep. 32. lib. 7. ep. 30.

assembled at Trent, that was the favourite position defended by Lainez and Salmeron, as I before remarked, two jesuits, who, in the principles of their new-born society, dared to think that the divine hierarchy of the church was concentrated on the head of him, to whom they had made a special vow of obedience,

The auspicious opening of Dr. Bishop's government, which seemed to promise peace and a reunion of sentiments, was soon clouded over. He died April 16, 1624, aged 71.

The bishop of Chalcedon dies.

On the decease of the bishop, the chapter he had elected assumed ordinary jurisdiction, as canonically devolved on them, *sede vacante*, and in their own name applied to Rome for a successor. Urban VIII. was then pope. Fortunately, to enforce the supplication of the chapter, a new petitioner came forward. The Spanish match was at an end; and a treaty had commenced between the prince and Henrietta Maria, daughter of Henry IV. of France, and sister of Louis XIII. a few months before the death of the English king. The moment was favourable: for, with a view, doubtless, to obtain more easily from Rome the dispensation, which his sister's marriage, he trusted, would soon render necessary, the French monarch seemed to interest himself much

Dr. Richard Smith is appointed his successor.

much in the concerns of the English Catholics. He had even sent the archbishop of Embrun to the English court, privately to negotiate for them with the old king a greater toleration.* In the marriage articles which ensued, some indulgence was stipulated in their favour; and by the tenth, the princess was to be allowed a bishop for her almoner. Still, from motives of a distant policy, his holiness reluctantly granted a dispensation, which reluctance he even signified in a letter of some elegance and of much laboured artifice to the princess.† It was the difference of religion in the parties that rendered the dispensation necessary.

Under these circumstances, Dr. Richard Smith was finally elected bishop, and appointed to the same see of Chalcedon, February 4, 1625. The reader will recollect that he had been placed on the former list with Dr. Bishop, and that he was the same who, some years before, deputed to Rome by the clergy, had given offence, by his firmness, to father Parsons and his faction. His behaviour, on that occasion, and his general character conspiring

* Rapin, vol. ii. p. 232.

† Dodd, vol. iii. 168.

spiring with it, paved the way for the opposition which ensued. He was at Paris, when the news of his appointment came, where for some time he had resided, in habits, it is said, of intimacy with cardinal Richelieu, the favourite minister of Louis XIII.*†

As the title of the new bishop was the same as that of his predecessor, so likewise were his powers, specified in a similar Bull, and in a Brief of equal import. Only, after stating in the words of the former brief, "*at our and the apostolic see's good pleasure*, that his faculties were those of the late archpriests, joined to those which ordinaries enjoy and exercise," it adds, by way, it should appear, of a more explicit declaration: "*And we delegate thee to all and every one of the premised by the aforesaid authority*"

Powers of the
new bishop.

* Dodd, vol. iii. p. 76, 77, 78.

† The *Relation* of the Regulars thus speaks: "These most foul innovations, (*see the last remark by the same authors on Dr. Bishop,*) which tended to the overthrow of religion, rendered the apostolic see afterwards less tractable, when on the death of Dr. Bishop, application was made for a successor. The matter was long in suspense, till, the match with Spain being broken off, the aid of the Christian king was implored. And to this application, which cardinal Richelieu also enforced, Urban finally gave way, appointing Dr. Smith, the friend of Richelieu, to the see of Chalcedon, with the same powers as his predecessor had enjoyed."

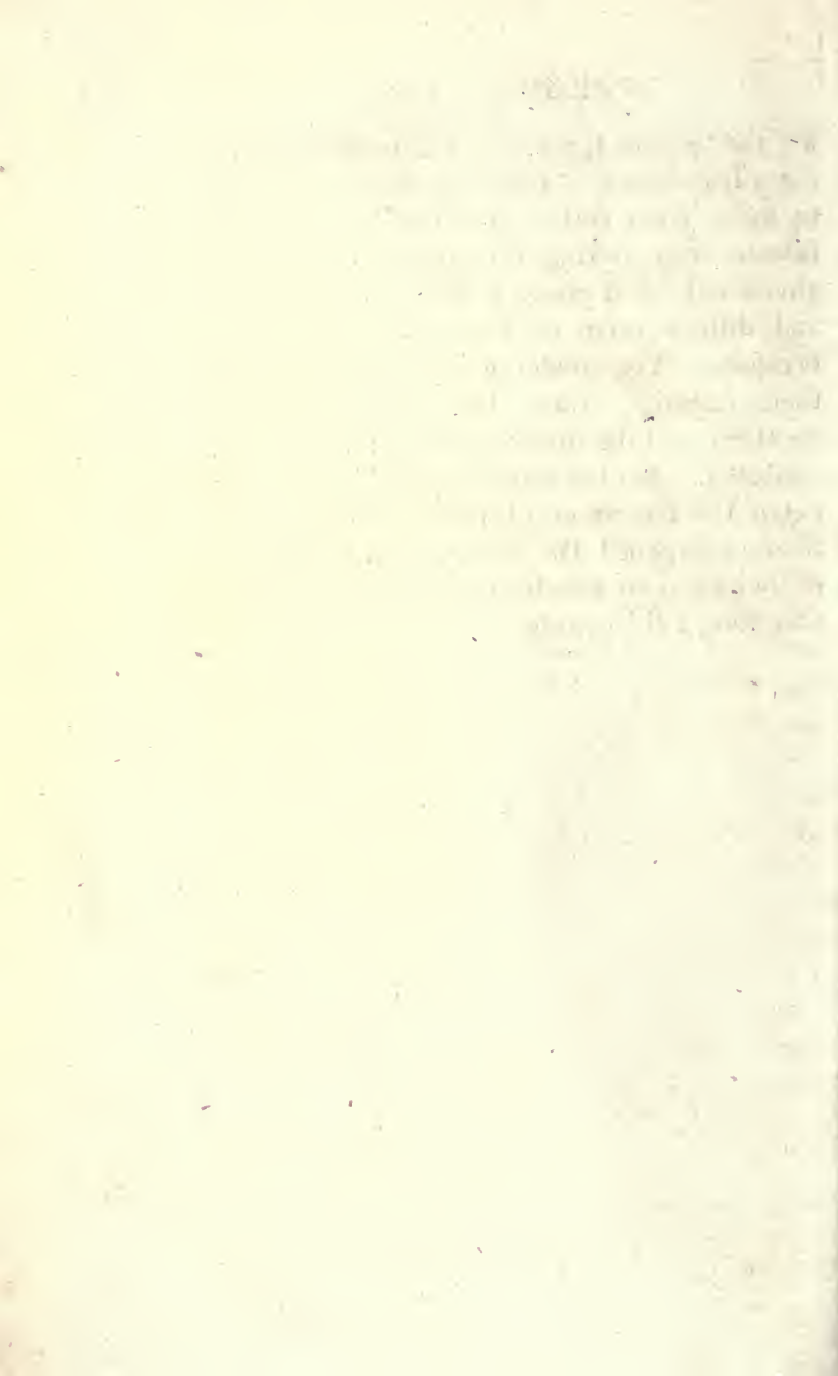
“ *ritu and tenor.*” To Dr. Bishop the Brief had said, which here also it repeats; “ By apostolic authority we give to thee licence and faculty,” to use the above powers.

I am, therefore, authorised to draw the obvious inference which I did before, that Dr. Smith was a Roman *delegate*, or, in other words, an *apostolic vicar*, furnished with ordinary powers, revocable at the will of his holiness. And that, in the sense of the Roman court, he was no more than its agent, will hereafter be manifest, though he styled himself, and was styled by others, *Ordinarius Angliæ et Scotiæ*. Soon after his consecration he came to England.

As to the general state of politics, regarding the English Catholics, at this time, they are too well known to require repetition. To them, as to many others, the reign of Charles opened with a gloomy aspect, notwithstanding the dispositions of the court and even of the church were favourable: for that court and that church were themselves menaced; and ruin soon involved them both. Proclamations against the Catholics were issued, and the severest execution of the laws was called for; but

but the tolerant spirit of the king still shielded them from harm. They had much, however, to suffer from certain low offices called *Pursuivants*, who, during this reign, enjoyed an almost unlimited power to search their houses, and distress them on the most unprovoked occasions. Yet, under every oppression from their enemies, they still persecuted one another; and the inveteracy of party remained unabated. But the following *Memoirs* will best detail the succession of these events, which finally compelled Dr. Smith, after a residence of four years, to withdraw into France.—Here, therefore, I shall pause.

THE



T H E

MEMOIRS OF PANZANI, &c.

Introduction.

WHEN several ages of plenty and ease had corrupted the English church, and wretchedly disposed the whole nation for that remarkable defection which happened in the year 1533, under the illustrious and powerful prince, Henry VIII. the cause of religion, in the succeeding reigns, experienced a various fate. Edward VI. made a further progress in the Reformation; but queen Mary laboured to close the breach, and was on the point of succeeding, when Providence cut her off to make way for Elizabeth, whose long and prosperous reign settled the *Reformation* on a lasting basis.

Towards the end of Mary's reign nearly one half of the Roman Catholic bishops had been swept away, and those that survived her saw not many years of queen Elizabeth; so that, in a little time, the old religion was confined to a small number of the inferior clergy, and it was obvious to think, that, these dying off,

H

the

the English nation would soon be unanimous in the profession of the reformed doctrine.— It was this melancholy reflection that roused William Allen,* a graduate of Oxford (and afterwards a cardinal) to provide against the impending evil, by collecting into a body the scattered remains of both universities, who forming a seminary might supply the places of the old clergy, as these should die away. Accordingly a college, for that purpose, was erected by him at Douay in Flanders, under the protection of Phillip II. king of Spain, and of Gregory XIII. bishop of Rome. Success answered his designs: and immediately after the foundation (which was an. 1568; the tenth of Elizabeth) some priests were sent over into England, who inspired new vigour into those who were well disposed to the old religion, confirming some, and reclaiming others. By degrees, other colleges were erected with the same view, at Rome, Valladolid, Seville, St. Omer's, &c. And thus the clergy continued their succession, while the religion of their ancestors was preserved amongst all ranks of people.

Nor was it long before other Englishmen, such as had entered into religious orders in Flanders, France,

* See Introd. p. 20.

France, Italy, and Spain, obtained permission from their respective superiors, to engage in the same work, so that the Jesuits, Benedictins, Franciscans, &c. joining themselves as auxiliaries to the clergy, came into the harvest. The common cause was carried on with success; but the different domestic views of the labourers insensibly generated some confusion, and the clergy proved to be the sufferers. The regulars being bodies incorporate, were better cemented in order to maintain their interest. The clergy acted separately, were unguarded, and without a head to unite them in one common concern. And of this defect they were soon made sensible: for whereas hitherto they had been supported by contributions, which regularly passed through their own hands, these charities now began to turn into other channels, and though originally designed for them, were disposed of to other persons. They were jostled out of their places to make way for others of a more plausible education. Many of their leading men were every day debauched to enrol themselves in other bodies: and what was the source of the greatest evil, the Jesuits being made superiors of the colleges (as in that at Rome particularly) where the clergy received their education, this obliged the latter to live in a state of dependence and unbecoming submission. Much ill blood was the consequence of this heterogeneous education.

Under these circumstances, the clergy had but one way left to make their condition tolerable, which was to petition his holiness, that he would send a bishop into England, to inspect and govern the general concerns of religion. Towards the close of Elizabeth's reign this scheme was much pressed, and it seemed to promise success, when suddenly the pope was made to believe that the measure would be extremely prejudicial to the Catholic cause.* Father Parsons, therefore, proposed a new scheme, and by his contrivance two clergymen of distinction were privately dispatched to Rome,† who, in the name of the clergy, (though few of them were acquainted with the design,) entreated to be governed by an archpriest. To this dignity Mr. George Blackwell was appointed, whose private instructions from cardinal Cajetan were, to do nothing without having first advised with the jesuits: yet, for form sake, he had twelve clergymen joined with him by way of assistants, the majority of whom were known to be entirely devoted to the fathers.‡

The

* Introduction, p. 45.

† Ibid.

‡ Ibid. p. 49.

The clergy being unthinkingly drawn into this scheme, were at a loss how to extricate themselves. The more intelligent among them were of opinion, that his holiness (Clement VIII.) was a stranger to the whole affair; in which they were confirmed by the archpriest's acting solely by the strength of the cardinal's constituent letters, who was himself indefatigable in promoting the interest of the jesuits. Wherefore, to be further satisfied, some of the leading men of the clergy deferred paying obedience to the archpriest's orders, till he had brought better and more authentic proofs of the authority said to be conferred upon him. In the mean time, the jesuits were very loud in their complaints against the non-complying clergy, and defended the archpriest's power, as if it had been (and as it really was) a scheme of their own, Father Lister, in a pamphlet concerning *schism*, declared those that stood off to be, *ipso facto*, deprived of their ecclesiastical powers, and to be treated no otherwise than as schismatics. The clergy, on the other hand, appealed to his holiness, and were finally listened to, Clement issuing a Brief, which, though it confirmed and established the scheme of an archpriest, yet it cleared the appellants from censure, forbidding the archpriest, for the future, to advise with the jesuits, with express

orders that three of the appealing priests should be made his assistants.*

For several years the clergy continued under this œconomy (from 1598 to 1623) under three archpriests, Blackwell, Birket, and Harrison. This last gentleman, sensible of the many inconveniences which attended the arrangement, resolved, as well from his own inclination, as at the request of all the eminent men among the clergy, once more to try the court of Rome concerning a bishop to govern the mission. Wherefore, some encouragement being given,† in the year 1622, Mr. John Bennet was sent in the quality of agent to Rome, with a common letter, and the names of several candidates for the episcopal dignity, viz. William Bishop, Matthew Kellison, Richard Smith, Edward Bennet, John Boswell, and Cuthbert Trollop. And that the regulars might take no umbrage at this agency, it was rumoured that Mr. Bennet went to Rome in order to facilitate some matters in relation to the match with Spain,

To

* Introduction, p. 65.

† Ibid. p. 92.

To this petition of the clergy Rome assented; and Dr. William Bishop was soon afterwards consecrated at Paris with the title of bishop of Chalcedon in Asia minor. He went over into England, where he was kindly received by all the regulars, even by the jesuits, entering on his jurisdiction by appointing seven vicars, and several archdeacons and rural deans. Also, by a power of which he deemed himself possessed, he erected a chapter of 24 canons, purposing to have the plan confirmed and ratified by the court of Rome; and for the greater solemnity gave to this chapter a common seal with an impression of St. Thomas of Canterbury. In a little time, he made up some breaches between the clergy and the Benedictin monks; and was in a fair way of bringing over the jesuits to a like temper.

Dr. Bishop died in 1624; and was, not long after, succeeded by Richard Smith, he being also consecrated at Paris by the pope's nuncio Spada, with the same title of bishop of Chalcedon. In the beginning of April 1625 he went into England, and adopted all his predecessor's measures, confirming what he had done as to the methods of executing his jurisdiction. For two years he peaceably styled himself the *ordinary of England*; only a certain tract written by a jesuit, under the title of

Responsio

Controversy
between Dr.
Smith, bishop
of Chalcedon,
and the Regulars.

Responsio ad quemdam magnum Prælatum gave an alarm. It treated of the privileges of regular orders; and is supposed to have excited the laity to more than a commendable curiosity and inquisitiveness concerning the bishop's power.

About this time, in April 1627, there happened a more public and direct occasion of having these matters looked into. Benjamin Norton, one of his lordship's vicars, having considered a Bull published by Pius V. (*Romani pontificis*,) which directed that regulars should not hear the confessions of lay persons without the ordinary's approbation, (the council of Trent being also express in requiring the same,*) was disposed to believe that the bishop of Chalcedon ought to proceed according to that order. This difficulty being started, and made known to several lay persons, penitents to the regulars, they reflected so long upon it, that the scruple, at last, grew too big for them. The bishop himself had often privately considered the point; but, not to disturb the regulars, he suffered them to proceed conformably with their own principles. Now, however, understanding that the consciences of many were entangled, he thought
it

* Sess. 23. c. 15.

it his duty to declare himself, and accordingly, having called together the superiors of the jesuits and of the Benedictin monks, he frankly opened his mind, and told them, it was his opinion that no regular ought to hear a lay person's confession without the ordinary's approbation. They acquiesced, and for some time requested his approbation. But having more maturely weighed the case among themselves, they flew off, alledging that the pope, being the *universal ordinary* of the whole church, had sufficiently qualified them to hear any one's confession by express faculties granted for the mission; and for the future they were resolved, they said, not to seek the bishop of Chalcedon's approbation. Afterwards, to strengthen their interest, they drew in some leading men of the laity to countenance their practice, among whom were Sir Thomas Brudenal, Sir Basil Brook, Sir Toby Mathews, &c. this last being himself esteemed a jesuit and in priest's orders.* The Benedictin monks were zealous in the same cause. They had a learned man in their body, father Preston,† who busily engaged in the controversy, and by several odious questions

* Dodd, vol. iii. p. 59, 155, 156.

† *Alias* Roger Widdrington, Dodd, vol. ii. p. 420.

questions proposed amongst the laity, he made them very uneasy under the jurisdiction claimed by the bishop. Father Preston was seconded by father David, another learned man of the same order, who wrote a Treatise on the subject, and sent the manuscript to Rome. By degrees, a general attack was made on his lordship's pretensions, and several writings were handed about on both sides.

The Bishop, in the mean time, thought it his duty not to be idle. He addressed himself by a *Letter* to the laity, explaining the nature of his jurisdiction, and asserting his claim to ordinary power. This was ill taken by many; and in opposition to it the three lay gentlemen above mentioned drew up an artificial *Remonstrance*, in the name of all the lay Catholics in England. The writing was left at the bishop's lodgings; but he being abroad, it fell into the hands of Mr. Edward Bennet, his vicar general. Copies were dispersed into other hands; and it failed not to have the desired effect with many. But soon the artifice was detected, a great majority of the laity signing a paper of a contrary tendency, in favour of the bishop.— By this time all the regulars were agreed to oppose the bishop; for though the superior of the Dominicans, in the beginning, ordered all under his inspection to submit, yet he afterwards

was

was brought over to the other party. Father Preston, the champion of the cause, was ordered to write a *Letter*, by way of justification of their proceedings, in which the following bold assertions were noticed, viz: That episcopal authority was directly contrary to law; that it was odious to the nation; that it was pernicious, in the present juncture, to the Catholic cause.—The bishop answered this *Letter* by a MS entitled a *Synopsis*. Father Barlow then, president of the monks, in the name of the whole congregation (of monks) published a book an. 1627, under the title of *Mandatum*, &c.* which reflected much both on the bishop and the clergy. He lays it down as a principle that, the council of Trent not being received in England, its decrees could have no binding force in matters of discipline.—This book the bishop judged proper to send to the Inquisition at Rome, enclosing an answer to it in the same packet, with the reasons he went on in adhering to his claim.

The controversy, by this time, was undertaken by several learned men abroad. Among others, Dr. Kellison, president of the English college at Douay, published (an. 1629), his *De Hierarchia Ecclesiastica contra anarchiam Calvini*.
The

* Dodd, vol. 3. p. 157.

The book, by impartial persons, was regarded as a modest performance; but as it seemed to express the necessity of episcopal government, and to exclude regulars from the hierarchy of the church, it hugely provoked all of that party, especially the Jesuits who decried it with great vehemency. Two answers quickly appeared against it; one entitled *Brevis et modesta discussio assertionum Kellisoni*, &c. (an. 1631) under the borrowed name of Nicholas Smith, but really by Edward Knott, superior of the Jesuits: The other entitled *Apologia pro modo procedendi Sanctæ sedis apostolicæ*, &c. (an. 1631) with the name of Daniel a Jesu, but believed (*known*) to be the work of father John Floyd, an English Jesuit. These pieces were first published in English, and afterwards translated into Latin with some softening alterations.

The contro-
versy engages
the French
Divines.

Very soon the controversy became public among the French divines, on the following occasion. — Father Knott, desirous that his work should appear in the world with some reputation, sent it to Paris to be reviewed by one father Rivandier, an Augustine friar and a doctor of Sorbonne; and he, without consulting the university, gave his approbation to it. The faculty of Sorbonne, being made acquainted with the matter, took upon them to examine both the above-mentioned books, and finding several things in them deserving of

of censure, they extracted certain propositions, and condemned them an. 1631. The French bishops, in like manner, censured the doctrine of the said books, as highly injurious to the hierarchy of the church and the episcopal order. — And now the jesuits, having fresh work upon their hands, for a while left the bishop of Chalcedon, and turned all their force against the censures of the Sorbonne and of the French bishops. One Hermannus Loemelius, pretending to be a canon of St. Omer's, but in truth father Floyd himself, publishes two pamphlets against the doctors of Sorbonne and the bishops; the one entitled *Spongia*, &c. the other *Querimonia Ecclesiæ Anglicanæ*, &c. — Two other pamphlets were also published of the same tendency, under the name of George White; but these likewise were ascribed to the same hand. Their titles were, *Vindiciæ Nicholai Smithei*, and *Epistola ad Episcopos Galliæ*, prefixed to the Latin copy of Daniel a Jesu. — But among all the works published on these matters, none gave more scandal than a burlesque piece against the censure of Sorbonne, called the *Censure of the Apostles Creed* in Latin, which was also given to John Floyd.* The doctrine of this piece bore

* The author rather appears to have been Theophile Raynaud, a French jesuit. Panzani is mistaken in saying the

bore so hard on episcopacy, that the archbishop of Canterbury expressed his surprise that any divine of the church of Rome should be the author of it.

Under this provocation, and when the doctors of Sorbonne, and the bishops of France, were thus insulted, three eloquent and learned writers of that nation undertook to defend the censures they had given. These were Francis Hallier, Nicholas le Maitre, and Petrus Aurelius, who, in several learned works (some whereof were printed at the public expence of the French clergy) vigorously and eloquently supported the dignity of the episcopal order.

The pope
interposes.

But Urban, acquainted with all the progress of the English Controversy, at last interposed his authority, and commanded silence to both parties; whereon the bishop of Chalcedon, to shew his inclination for peace, without further application, approved, in general terms, of all the

the doctrine of this *Censure* bears hard upon episcopacy. It is a profane composition, designed to intimate that the works, which the Sorbonne and French bishops had censured, were truly as orthodox as the creed of the Apostles. The direct tendency of those works was to vilify and overturn the hierarchical order in the church.

Abregé Chron. de l'hist. Eccle. vol. iii. p. 434.

the faculties of the regulars. These seemed pleased with the measure at home, as it was a means of quieting the consciences of many of the laity; but at Rome they exclaimed against it, as a derogation from their privileges, and a lessening of the pope's authority. Wherefore his holiness *declared* that the regulars, by virtue of their apostolic mission, were exempted from the canons that required episcopal approbation; but that the bishop of Chalcedon might claim a jurisdiction as to the three parochial sacraments.* To this order the bishop also submitted. Still the regulars continued to complain, that his Lordship was obnoxious, and troublesome upon several other accounts. Father Barlow's book, termed *Mandatum*, was busily handed about, not only among the Catholics, but among the Protestants, till several of the privy council had a sight of it, who, impressed with the idea of the danger of a Catholic bishop by the arguments made use of by that author, acquainted the king with it. A resolution, soon after this, was taken that the bishop of Chalcedon should not be permitted to remain in the kingdom. The juncture of affairs at that time also seemed to require that

caution :

* Dodd, vol. 3, p. 158. The *Brief* here alluded to was never canonically published, and was by many, at the time, deemed spurious or surreptitious. Dodd, vol. 3, p. 13.

caution : for England and France being engaged in, or preparing for a war, it was thought too great a condescension to admit of a Catholic bishop, in compliment to a nation with which they were at enmity.

Proceedings
against the
bishop.

Nor was it long before a Proclamation was issued out against the bishop, which obliged him to lie concealed ; but it had no further effect ; and no search was made. This disappointed many, who had hoped that the pope would now have recalled him. Wherefore a second Proclamation came out an 1629,* importing banishment and a reward of a hundred pounds to any one who should seize him. Neither had this any further consequence. No enquiry was made after him : the Catholics were not disturbed on his account : he still performed his functions privately ; and what favoured him more, the French and English were now concluding a peace. On the arrival of an ambassador from France, Monsieur Chateauneuf, the bishop was entertained in his family with great freedom and security, the king himself being privy to it. When Chateauneuf was recalled, and the Marquis de la Fontaine succeeded to him, the bishop continued to enjoy the same privilege of

* Dodd, ib. p. 143, 4.

of residing in his family, with every opportunity of exercising his functions.

In the mean time, the regulars, or at least their adherents, were very uneasy; and they drew up a declaration privately,* which signified that the Catholics were generally displeased with the bishop's behaviour. This paper was delivered by a certain nobleman to Don Carlos Colonna, the Spanish ambassador, and affirmed to contain the sentiments of all the laity: and that he might not discover the fraud, it was only given into his hands the day before he left London. However, care was taken to disabuse the Roman Catholics at home. The marquis de la Fontaine and other ambassadors in London were informed, that the Catholics were not so universally averse to their bishop as was reported: and this was made to appear by a common *subscription*† of the lay gentlemen to another paper, drawn up in English, Latin, and French. La Fontaine, in particular, also signed an attestation, that the number of those who were friendly to an episcopal superior far exceeded the other. Finally the queen herself, an. 1632, wrote to

* Dodd, ib. p. 143, 149, 150.

† Ibid, p. 142.

the pope, assuring his holiness, that the case was misrepresented, and that the common voice of the Catholics was in favour of the episcopal order.*

He is compelled to withdraw into France.

During these contests, the bishop of Chalcedon was advised to withdraw himself out of England, at least for a time. He did so.† But his

* Dodd, ib. p. 141.

† The order of events, as stated by Panzani, is not accurate. —The contest began, as related, in the year 1627, and on the occasion, as related. Various little publications, on both sides, then appeared, when the bishop, to ease the minds of the laity and to soften the asperity of controversy, publicly signified his approbation of the regulars' powers, *pendente lite*, that is, till his holiness should decide. (Dodd, vol. 3, p. 138.) But his holiness decided against the bishop, and admonished him to drop the appellation of *ordinary of England*, which belonged not to the *bishop of Chalcedon*, whose powers were delegated *ad sedis apostolicæ beneplacitum*. (Dodd, ibid, p. 14.) The contest, however, endured, till government was prevailed on to issue a first and second proclamation, March 29, an. 1629, which compelled Dr. Smith to leave England. Now Dr. Kellison wrote his *Hierarchia*, which was followed by other works, as mentioned by Panzani. The surreptitious *Declaration* against the bishop was procured soon after his departure to the Continent, when his return or the appointment of a successor was apprehended; and the counter-Memorial, (Dodd, p. 142,) conveying the just sentiments of attachment of the Catholics to episcopal government appeared in the year 1631. In the same year the Brief *Britannia*, which, by many, I said, was deemed spurious, but which I judge to be genuine, found its way into England through the hands of the Regulars. Dodd, p. 150.

his adversaries to follow the blow (apprehending another would be sent in his place,) procured a second signature among the Catholics; and in order to induce them to it, they gave it out that the bishop of Chalcedon's designs were tyrannical; that he attempted to demand tythes; that he forced his visits upon them; that he claimed a power of placing and displacing confessors at pleasure; that he purposed erecting a court for the proving of wills. Even they persuaded Lord Morley, who, for several years, on very just grounds, had lived separate from his wife, that he would be compelled by the bishop's orders to recall her.

His holiness being acquainted with all these proceedings, and being sensible of the common infirmity of mankind, which inclines them to tell their story to their own advantage, advised with his chief minister, cardinal Barberini,* by what means he could come to a true knowledge of the differences between the clergy and the regulars in England. Himself as well as the cardinal had ever shewn a particular respect for the English nation, as well from a general wish of re-uniting them once more to the see of Rome, as from a certain natural sympathy

His holiness
sends Panzani
into England.

* The pope's nephew.

which seemed to engage their affections. Several inuendoes had been given to them, that the court party was not averse towards keeping up some kind of correspondence. They, therefore, came to a resolution to send over an agent, at once to inform themselves of the true state of affairs among the Catholics, and to feel the pulse of the nation with regard to other concerns. But the person proper for this employment must be a man unprejudiced in the general business of the controversy, and an inoffensive observer in other matters. He that was chosen for this office was Gregory Panzani, of Arrezo, a secular priest of experienced virtue, of singular address, of polite learning, and in all respects well qualified for the business. The queen was first made acquainted with the design; and she communicated it to the king, who gave his tacit consent: but, at the same time, singular care was taken that the matter should not be divulged, among the Catholics or Protestants, who, from different views, might have obstructed its execution. In a little time, a favourable occasion offered for effecting the project. Monsignor Mazarin, being deputed Nuncio extraordinary to the court of France, Panzani joined him as an attendant; and having made some stay in Paris, the latter privately passed over into England, under the pretence of satisfying his curiosity with the fashions and customs

customs of the country, as other strangers often did. (This was towards the end of the year 1634.)

Panzani's first visit, on his arrival in London, was to the queen, being introduced by father Robert Philip, her majesty's confessor. He presented her with a letter from cardinal Barberini. She had expected one from his holiness; but, through the secretary's neglect, it had been omitted, and arrived not till the 3d of January, 1635. — At this interview, Panzani acquainted her majesty with the extraordinary respect, both Urban VIII. and the cardinal entertained for her; and took the liberty to mention some instances that had rendered her an object of their esteem, particularly that, by her interest, ease had been procured for the Catholics, and the blow averted with which they had been recently threatened. In the cardinal's name he requested, that she would shew herself a parent to that neglected handful of people, and use her interest to bring them to a good understanding among themselves, who of late had been unhappily divided. — The queen returned an answer suitable to the occasion: That she valued herself for the esteem those two great personages entertained for her; and that it was not the first time, she had been favoured with undeniable proofs of the cardinal's affection.

He is introduced to the queen.

She promised that nothing should be wanting on her part, towards procuring further ease for the Catholics, as also for uniting them amongst themselves; adding, that the absence of their bishop was a great detriment to them, and that she, in particular, was sensibly affected by the loss. Panzani then acquainted her majesty in general terms, that his holiness expected the Catholics should be exact and scrupulous in their civil allegiance to the king and government; and that he hoped his majesty would not press them beyond the known limits of their duty in matters of religion. He also requested, that his arrival might be notified to the king, with the occasion of it.

When the queen signified the event to his majesty, his only reply was, that Panzani should be cautious, and carry on his business with secrecy, and above all things, not to intermeddle in state affairs.

Panzani then communicated a common letter to the regulars, which he had brought with him from the cardinal.

It may be observed that, though the Catholics had many enemies in England, yet the court party was very moderate. They had heard many instances of Urban's good-nature; and the queen's religion was an awe on many.

Panzani describes the general state of things in a letter to Barberini.

The

The language of the nation was not so bitter and scurrilous against the pope, as in former times it had been, when parties were debating his jurisdiction. The king himself, as he was a person of strict virtue and of great benevolence, frequently intimated that he had no aversion to several pretensions of the Roman Catholic party. Of this Panzani takes notice in a letter to cardinal Barberini, dated February 16, 1635, in which he mentions an instance of the king's good inclinations, which, since his coming to England, he had himself observed. — One of the famous preachers, he says, having bitterly inveighed against schism in a sermon before the king: his majesty was heard afterwards to say, "that he would willingly have parted with one of his hands, rather than such a schism should have ever happened." On which one of the courtiers, who was familiar with the king, begged his majesty to talk softly, as such speeches were very dangerous. The king instantly replied: "I say it again: I wish, I had rather lost one of my hands."—Some persons, continues Panzani, were pleased to understand this of the puritanical defection from the church by law established; but the manner of his delivering himself, and the circumstance of his falling immediately into a panegyric on Urban VIII. were thought by others to be a comment on the words.—In the same letter, Panzani informs the cardinal
of

of several other matters, which, though in themselves trivial, plainly demonstrated the people's dispositions: That formerly their churches were distinguished by the name of Peter's, Paul's, Margaret's, &c. but that now they were called St. Peter's, St. Paul's, &c.: that the archbishop of Canterbury had ordered the psalms to be sung in notes according to the Gregorian method used in the church of Rome, and that the king himself made the first essay: that the universities, which formerly made use of the books of the first reformers as containing the only plan of their doctrine, were now enjoined to apply themselves to the ancient fathers and councils. — These, among many others, were the observations which Panzani made, and of which he informed the cardinal, that he might have an idea of the English nation in regard to religious matters.*

But there were still stronger proofs of the complaisance, not to say affection of the court party, towards the Roman see.—It is a privilege of ambassadors to be allowed a chapel for

* These observations could only apply to the dignitaries of the established church and the court party, and not to the nation which, as it soon appeared, was more than ever hostile to monarchy, and to popery, in their estimation, essentially connected with it.

for the use of their domestics and attendants; and by the indulgence of the court, not only foreigners, but English Catholics were permitted to frequent these places of worship. The queen enjoyed this privilege to a greater extent. Indeed, by the articles of her marriage, a chapel for herself and servants was allowed her: but, besides this, she had a large handsome church in Somerset-house; and a number of Capucin friars were permitted to wear their habits within the precincts of her court. Her almoner, abbé du Perron, often preached publicly in French; and sometimes English sermons were permitted in the church at Somerset-house. This church was built purposely for the queen, being exquisitely adorned, and furnished with very valuable vestments and plate. The king, from curiosity, sometimes visited it; and it was a satisfaction to him to observe the order and significancy of their ceremonies. How great a respect his majesty had for ceremonies appeared by an occurrence, which happened a little before Panzani came to England.—A small piece of the cross, on which our Saviour suffered, was said to have been found in the tower of London, where it had lain concealed many years. Some of the king's servants took care to have it placed in a kind of open box, on which some pains were bestowed in the workmanship. Their design

was

was to have it exposed among other rarities in one of the royal palaces. The queen being informed of it, was much concerned that so remarkable a relic should be lodged with other vulgar curiosities; wherefore acquainting the king with it, she desired it might be delivered to her, saying, she should place it in her chapel at Somerset-house. The king was not pleased, when he heard in what manner his servants were going to dispose of this treasure: he told the queen, no one could have a greater value for things of that nature than himself; that he would take care it were made an object neither of derision nor curiosity. The queen on this withdrew her request, extremely pleased with his majesty's disposition.

Panzani, in the same letter, also remarked,
 “ That Catholic schoolmasters were allowed
 “ to teach in several parts of the city of
 “ London; that both the writings and dis-
 “ courses of Protestants were in a different
 “ key from what formerly they had been;
 “ that the king's preachers often took occasion
 “ to run into the praises of the moderate
 “ papists; that they recommended the use
 “ of auricular confession, extolled the beau-
 “ tifying and adorning of churches, and
 “ paying a respect to the name of Jesus by
 “ bowing, &c.; that they disclaimed many
 “ popular

“ popular calumnies fixed on the church of
 “ Rome, owning her to be the mother church,
 “ and author of happiness to many nations.
 “ Altars, images, &c. he said, were mentioned
 “ with respect; and many, in common con-
 “ versation, wished for a re-union.* All this
 “ was attributed, Panzani observed, to the in-
 “ fluence the court had upon the minds of the
 “ people, and originally to the queen’s reli-
 “ gion, and to the king’s uxorious temper.—
 “ Providence was dragged in to confirm and
 “ back every man’s conjectures. Some said,
 “ the prayers of queen Mary of Scotland
 “ began to be heard with success; that the
 “ family of Stuart was naturally inclined to
 “ promote the old religion. Others ascribed
 “ the whole business to the indefatigable zeal
 “ of the popish emissaries, and to the easy
 “ temper of a prince who was entirely governed
 “ by his wife.”

I must now return to the subject of Panzani’s agency.

The

* The truth of these observations is confirmed by all con-
 temporary writers. Laud, therefore, and others were loudly
 charged with a design of introducing popery; and their indiffe-
 rence in repelling the imputation rather confirmed the suspicion.
 The truth, however, is, not that they were friends to the church
 of Rome, but that they were enemies to the puritans, whose
 principles they hated, and whose clamour they despised.

Disputes
about the oath
of allegiance.

The Catholics were divided on two heads : *The necessity and convenience of a bishop—and the oath of allegiance.*—His majesty was made sensible, that it was in vain to press them with the *oath of supremacy*, this being directly opposite to the tenets of their religion : but he could not be persuaded they had any colour to refuse the *oath of allegiance*,* which was a civil duty.—However, some of the King's council intimated to Panzani, that it was not impracticable to have some of the clauses of the said oath softened, that it might go down with the most tender consciences. Father Preston, a learned Benedictin monk, was the great champion for the oath. He was seconded by father David of the same order, a person of uncommon wit and penetration, though by a misapplication of his talents, he was unfortunate to the Catholic interest, being most factious and scurrilous.—Father Leander, another monk, appeared for a while in the same cause, to which he contributed more by his grave carriage, than by his learning or judgment ; however, he forsook the party, and entirely submitted himself to the pleasure of the see of Rome. Father Preston, indeed, was a man equal to the cause he undertook, being

* This was the oath of James, about which see introduc. p. 75.

being a profound scholar, and a master of style, which he discovered in a very elaborate work written in defence of the oath.* He was supported by persons of all ranks; many of his own order became his disciples; and several of the laity and clergy struck in with him. But these people, by overacting their part, perplexed, and almost ruined the Catholic interest at court. For now the king judged he had a very good pretence to press the oath of allegiance, since so many learned men undertook to justify it: and, accordingly, the oath was urged with such severity, that many who refused it were fined, and imprisoned, and otherwise persecuted as the law directed.

Preston's book remained not long unanswered. Edward Courtney, a Jesuit, undertook it, for which he was soon after imprisoned.—Many Catholics attempted a middle way, pretending the oath might be taken with the king's comment on it, whereby he declared nothing was

* This work was written many years before this time, an. 1613, when the disputes about the oath, as I stated, were so warmly agitated.—Who father David was, I am not able to investigate, unless he was the unfortunate Benedictin John Barns, who, having written against the temporal power of the pope and the loose casuistry of the Jesuits, was, about this time, decoyed abroad, and for more than 20 years confined with lunatics in the prisons of Rome. Dodd, vol. 3. p. 101.

was intended by it but civil allegiance, without any encroachment on the articles of their religion. But others judged such comments were only a snare, as the obvious sense of the words were of another import. This variety of opinions divided the party, who appeared frequently in print for and against the oath respectively.

The agent has two interviews with secretary Windebank.

As yet Panzani had not made himself known to either of the secretaries of State; and he used the same caution in regard to the embassadors of France and Spain. But father Philip and the abbé du Perron were of opinion, that it was high time, he should have an interview with secretary Windebank, at least in private, to remedy the discords about the oath of allegiance, and to proceed as he should find encouragement. Windebank was a protestant by profession, yet no enemy to the Catholics, and prepared to go all the lengths of the king and the court party. Not long after, Panzani had a conference with him, the particulars whereof are given in a letter to cardinal Barberini dated January 19, 1635*

“ First,

* The *Letters* in these memoirs are quoted not in the order they were written, but as the subject seemed to call for them.

PANZANI.

“ First, he acquaints the secretary with
“ the occasion of his coming over, viz. to
“ pay a compliment to the queen from the
“ Roman see, and to inform himself of some
“ matters relating to the Catholic bishop,
“ and incidentally, as occasion served, he
“ was at liberty to regulate the concerns of
“ the oath of allegiance; but having no express
“ commission as to the last point, he was at
“ a loss how to proceed, but would be directed
“ as his holiness and the king of Great Britain
“ should agree upon the method.—He further
“ assured the secretary, that both the pope
“ and cardinal Barberini were disposed to
“ give his majesty all the content imaginable, as
“ they omitted not to signify upon every occasion
“ offered; adding that, if his Catholic subjects
“ did not behave themselves with the utmost
“ respect to his majesty in all civil matters,
“ it was contrary to the knowledge and desire
“ of his holiness; and that, on a failure of
“ their duty in that regard, they ought to
“ be made sensible of it as the law directed.
“ —Windebank was well pleased with this
“ discourse, and took the liberty to reply:
“ That his majesty had always signified the
“ great respect he had for Urban VIII. and
“ that, as well on his account, as for other
“ considerations, he had seldom pressed the
“ execution of the laws against the Catholics
“ to extremity, only now and then reminded
“ them

“ them of their state of subjection by pecuniary
 “ mulcts, and that too very sparingly. He
 “ added by way of advice; That he thought
 “ it would be a part of prudence in his
 “ holiness, either to recall, or moderate the
 “ Briefs* that were in force against such as
 “ took the oath of allegiance. — To which
 “ Panzani replied; that, as he had no com-
 “ mission to act in that affair, so he could
 “ not pronounce upon it; but it was his
 “ opinion nothing would be altered in the
 “ Briefs, unless his majesty would meet his
 “ holiness half way, and agree to make the
 “ oath more agreeable to the humour† of the
 “ see of Rome. — Windebank insisted, that
 “ several Roman Catholics admitted the oath
 “ might be taken with the king’s comment,
 “ restraining the sense to civil allegiance.—
 “ This, said Panzani, may be the opinion of
 “ some of the party; but, in things of this
 “ nature, men are to act in concert, and
 “ govern themselves by an uniform practice.
 “ All I can say, continued Panzani, is, that
 “ I know it is the pope’s pleasure that the
 “ Catholics answer all the demands of civil
 “ allegiance.

* Introduction, p. 76.

† How well does that word *humour* explain the whole policy of the Roman court in censuring the oath!

" allegiance.—On this Windebank replied:
 " Then let the pope draw up the form of an
 " oath, and send it hither.—Panzani promised
 " to write to Rome about the matter, and
 " gave the secretary some encouragement that
 " the design might have its desired effect, for
 " that very lately an affair of the same nature
 " was carrying on in Ireland. The Irish
 " Catholics having refused the oath of alle-
 " giance, the king proposed another to them
 " of a softer nature; but this was also quar-
 " relled with, as bearing still too hard on the
 " pope's spiritual power. However, Panzani
 " judged it proper to send the form of the
 " Irish oath to Rome, as a model for England."

But as it appeared afterwards, Panzani
 was very much blamed as to this affair of the
 oath, Barberini taking the liberty to tell him,
 that he had exceeded his commission, and
 that it was too tender a point to be handled
 at that time.

" Before they broke up the conference,
 " Windebank acquainted Panzani, that his
 " majesty was very much displeased, when
 " he understood that Preston's book had been
 " censured at Rome: But Panzani diverted
 " the discourse by pretending ignorance, and
 " assuring him, it was against his holiness's
 " mind, that any books were published on
 K " those

" those subjects. — Then Windebank very
 " familiarly told Panzani, that it was whif-
 " pered in corners, that he would be ordered
 " to leave the kingdom: But take no notice,
 " said he, of those reports; you may stay
 " without any apprehension or hazard. —
 " Hence Panzani conceived a favourable opi-
 " nion of the court, and imagined they were
 " disposed to enter into a further correspond-
 " ence with the apostolic see; which con-
 " jecture was more confirmed when Winde-
 " bank added, and requested that his holiness
 " would write an obliging letter to the king!
 " For why, said he, should not a common
 " father make himself familiar with his chil-
 " dren? — The same request was made by
 " several others of the nobility, who were
 " of opinion that such a letter would be very
 " acceptable."

Panzani considered all these things, and
 took care to send intelligence of them to Rome.
 — Afterwards in another conference he had
 with the same secretary, concerning the sub-
 ject of a bishop, Windebank told him very
 frankly, that the Protestant clergy would
 never suffer a popish bishop to exercise jurif-
 diction in England. — To which Panzani re-
 plied: That nothing was determined in Rome
 as yet in that affair; but in case a bishop
 should be sent over, his authority would not

in the least interfere with the Protestants claim of jurisdiction; that he would challenge no power in *foro externo*, either as to tithes, wills, or any thing else that had the appearance of a tribunal;* that his power would be confined to matters purely spiritual, viz. confession, confirmation, and other things belonging to discipline and morals: In fine, that such a person would be pitched upon, with whose conduct the king himself should undoubtedly be pleased. — Windebank seemed not averse from this scheme: He only said, it would be proper that his majesty should be acquainted with the nature of his jurisdiction; and that a list of seven or eight persons should be sent to Rome, that his holiness and the king might agree upon a proper person of approved merit and inoffensive carriage.

The regulars and the laity under their direction were, all this while, very busily employed, and making interest, that another bishop might not be sent over, which Panzani understanding, he endeavoured to convince them of the necessity there was of having Dr. Smith's place supplied; and he took pains to

He treats with the regulars, and projects a plan for a bishop.

* The faction that drove Dr. Smith from England had very falsely published, that he was aiming to erect such a tribunal.

to answer all objections raised against it. The Jesuits and Benedictin monks were very frank and open in the attack. They alledged, that episcopal authority in England was inconsistent with their privileges as missionaries; that they had superiors of their own to have recourse to: that the presence of a bishop would occasion a persecution, and involve the whole Catholic body in a general calamity. —Panzani returned distinct answers to these objections; and as to what regarded persecution, he convinced them that during the six years the two bishops, Dr. Bishop and Dr. Smith, made their abode in England, the Catholics had never been disturbed on that account; and if bishop Smith was at last become obnoxious, and ordered into banishment by the king's proclamation, it was occasioned by the Catholics themselves, who exposed him, and alarmed the nation by very odd sort of methods. He further told them that, in queen Elizabeth's reign, the Jesuits laid a scheme to have the Catholics of England governed by 3 or 4 bishops,* and that the fear of falling under persecution was then judged to be an objection of no force.

While

* I have met with no documents to vouch the truth of this assertion.

While Panzani was endeavouring to prepare the way for a bishop, he was put upon forming a plan, how it could be effected. The occasion whereof arose from a report, that the king designed to order away abbé du Perron, and most of the ecclesiastics and Capucins that attended on the queen at Somerfet-house. — His majesty had received frequent complaints that they were too numerous, and some of them too inquisitive about state affairs. From this juncture he devised a scheme which he communicated to cardinal Barberini in a letter dated February 2, 1635.

The substance of the letter was:—" That
 " the new bishop should succeed du Perron, as
 " almoner to the queen: That the places of
 " the French chaplains, Capucins, &c. should
 " be supplied by English clergy, who were to
 " be vicars, canons, archdeacons, &c. and
 " bear all the offices under the bishop: That,
 " by this means, they would be under the royal
 " protection, and upon that account would be
 " cautious how they behaved themselves in re-
 " gard to state affairs; and, at the same time,
 " would not be suspected of tampering in fa-
 " vour of a foreign power: That the queen's
 " chapel would be sufficiently provided for by
 " this method: That the bishop might exercise
 " his jurisdiction, and make his visitations at
 " convenient times, and not the less com-
 " ply

“ ply with all the queen expected from him
 “ in quality of almoner. He assured the car-
 “ dinal, this plan would be acceptable to the
 “ queen, who desired nothing more than that
 “ a bishop might be sent over. Then he
 “ goes on to mention the general motives
 “ which induced him to be so urgent for a
 “ bishop: It was requisite, he said, on account
 “ of the regulars and the clergy. For he
 “ found, by experience, that the regulars,
 “ especially the Jesuits, were for being sole
 “ proprietors of the mission; that they daily
 “ made new conquests, and incorporated
 “ youths of the best families into their society;
 “ that the clergy were wormed out of their places
 “ and obliged to yield to the force of interest
 “ and money. Besides, added he, many of
 “ the regulars make themselves popular by
 “ pretended privileges and ill grounded
 “ indulgences; and when they were questioned
 “ and desired to justify these singularities,
 “ their answer is, that some pope granted them
 “ *viva voce*. The clergy on the other hand,
 “ he says, are in an abandoned state, living
 “ under a kind of anarchy without an imme-
 “ diate head; and that, every day, irregulari-
 “ ties were detected among them for want of
 “ a bishop.”

Character of
 the Jesuits and
 regulars.

About this time, it was whispered at court
 that, either liberty of conscience, or some
 other great matter was in agitation, in favour
 of

of the Catholics; and that the king, from an inclination to their cause, or out of compliment to the queen, was resolved to make them very easy: but then it was expected, that the bishop of Rome should desist from some of his claims. The Jesuits were not willing to hearken to an accommodation on the terms that were commonly proposed. Their usual language was, that the Roman Catholic religion would never be restored in England, but by the sword. This topic was very displeasing to Panzani. He told them very frankly, it had too great an affinity to the detestable contrivance of the gunpowder plot; but he was satisfied, their zeal would never transport them so far. Their aversion to an accommodation was still more suspected from a book, published by one of their order, entitled; *Quod libertas conscientiae non conveniat Anglis pro presenti rerum statu*. Some enemies to the society thus paraphrased on it: That they (the jesuits) judged it a more eligible state to remain as they were, than to see a total conversion of the nation, with the detriment or exclusion of their body: the latter being much talked of: and the first would certainly happen, if other orders were allowed their ancient claims, and the Jesuits be permitted to languish without lands, and by consequence without interest or power; whereas now, by methods peculiar to themselves, they bore up their heads above all the rest.

With

With all matters of moment, Panzani also, not unfrequently communicated to Barberini his own private thoughts and conjectures. In one of his letters, dated February 23, 1635: he has the following words: “ It is but too
“ true, that some, and I may say many,
“ both Jesuits and Benedictins, have turned
“ the mission into a business of profit: of
“ which abuse I see no other remedy than
“ to cramp them in their faculties, especially
“ the Jesuits. By this method, they would
“ not have so many followers and admirers:
“ They would traffic less, and attend more
“ to the cure of souls. Avarice was the only
“ motive which pushed them on to persecute
“ the bishop. Some here propose a sharper
“ remedy, viz. to take the English college
“ at Rome out of their hands, and restore it
“ to the clergy, who, it is thought, would
“ make a much better use of it. The Jesuits
“ cull the best wits out of it for their own
“ body: the others are designed only for the
“ mission. Whereas the clergy, as being
“ more peculiarly designed for the mission,
“ would not only reserve the prime wits for
“ that use, but would take equal pains that
“ others should be qualified. Things are now
“ come to that pass, that a good religious man
“ is one that is most zealous for his order;
“ and those that are not good attend only to
“ themselves: and between both the mission
“ is

“ is very much neglected, and the designs of
 “ the see of Rome frustrated. Besides, reli-
 “ gious men are not so easily brought to
 “ reason when they do amiss, as being more
 “ united among themselves, and by conse-
 “ quence more stubborn. A clergyman stands
 “ by himself. He is sooner corrected; and
 “ when bad, his example is neither of so
 “ much weight, nor so infectious as the Jesuits
 “ who are one and all. I mention the Jesuits
 “ rather, because they are the leaders in the
 “ affair of the bishop: and it is the opinion
 “ of several Protestants, that the Jesuits, upon
 “ I know not what view, do very much
 “ oppose an union* at this time.”

While Windebank and Panzani were
 carrying on their conferences, one Cook, a
 kind of secretary, and by sect a puritan,
 desired to have an audience of his majesty on
 a subject, he said, which very much con-
 cerned the nation's welfare, he, at the same
 time, intending to do Windebank a notable
 disservice, if not to throw him wholly
 out of the king's favour. Cook being
 admitted, told his majesty with a great deal
 of concern, that there was a certain Italian
 priest,

The puritans
 discover
 Panzani.

* Union of the two churches, as will be seen.

priest, named Panzani, sent secretly by the pope, and who might be of dangerous consequence to the state, as well as to his majesty's private affairs. The king smiled, telling the gentleman that he was no stranger to Panzani's arrival; that he was a person of worth and of unsuspected behaviour; that he had fully explained himself as to the reasons which brought him into England, and that he (Cook) needed give himself no further trouble on that head.—The king, however, thought it proper, by the means of Windebank, to acquaint Panzani, that, though he was discovered by the Puritanical party, he might be easy; that no body should molest him.

The cause of the Elector Palatine is proposed to him.

But now secretary Windebank had another game to play, which was, to make use of Panzani in favour of the Elector Palatine's family.* He requested of him, therefore, in the

* It may be proper just to notice, that this was the family of the elector Frederic, married to Elizabeth, daughter of king James. He had listened to a wild proposal that was to fix on his head the crown of Bohemia; but with this crown he also lost his hereditary dominions of the Palatinate. The event embittered the last years of James, and nearly involved the nation in a continental war. The elector was at this time dead, and his children lived in exile: but one of those children was Sophia, destined to be the mother of our first George; and Louis, the eldest son, in 1648, was reinstated in the Palatinate.

the king's name, that he would use his interest with the king of Poland, the pope, and cardinal Barberini, that a match might be brought about between a daughter of the Elector and the Polish king, insinuating that this would be a handsome preliminary, on which to establish a further correspondence with the see of Rome. Panzani promised to take a proper time to propose this affair; but he was very dilatory in doing it.

He was, however, assiduous enough in sending to Rome the new form of an oath, which he desired the cardinal would remit with his thoughts on it, that the king and ministry might consider it.—It appeared soon after, by Barberini's letters to Panzani, that the court of Rome was very much displeased with the liberty he had taken in declaring himself on the subject of the oath. The cardinal acquainted him, that Rome ought to be very cautious and rather passive in controversies of that nature: "For, said he, should we pretend to draw up forms of oaths, the English would pretend to be judges of the qualities of them, whereas it is our business to act as judges, where faith is attacked or endangered." He also advised him not to concern

Deep policy of Rome exhibited in a letter from Barberini.

cern himself with Courtney's Book* (which Windebank endeavoured to have censured at Rome), "for this, he said, was entering too far into a thorny matter where he might prick his fingers. To condemn Courtney was to appear too openly against the authority of the see of Rome, and to approve of what he had written was too disobliging on the other side."—Nay, even with regard to the bishop, Panzani was accused of being less cautious, especially in being too particular in his reasons, some of which seemed to require his (the bishop's) presence that he might prescribe rules to the regulars, which seemed not to be the intention of the holy see, which was always tender of the Regulars privileges.—He then privately acquaints him that Preston's book was actually censured at Rome,† as also another by a Franciscan entitled *Deus, Natura, Gratia*.‡

These

* In reply to Preston: See above.

† According to Dodd, vol. 2. p. 481, the works of Preston, alias Widdrington, in favour of the oath of allegiance and against the deposing power, had been formally censured at Rome as far back as the year 1614. He gives a copy of the censure. Preston appears to have written nothing after the year 1622: Ibid. p. 421.

§ The author was father Davenport, a man highly learned and much esteemed, whom the king and the archbishop sometimes saw. Dodd, vol. 3. p. 103.

These were the reproofs Panzani received from the cardinal in a letter, directed to him in March 1635, which he thus concludes:

“ The English are a mysterious people, and
“ require all your attention. The sea which
“ you passed to visit them is an emblem of
“ their temper, and a direction how you ought
“ to steer. Scarcely were you arrived, but
“ you began to dispute with yourself, whether
“ it was more adviseable to remain, or to
“ return back. The curiosities of a place are
“ sooner known, than either the religion or
“ politics of its inhabitants. Time is required
“ to become acquainted with the factions of a
“ country, and much more time to find out a
“ remedy, when the distemper is discovered.
“ You are yet a stranger to the Catholic
“ churchmen of that country. This is your
“ main enquiry. We must know the qualities
“ and merits of persons, before we can chuse
“ a bishop from among them. This must be
“ done gradually. You must observe many
“ things; and endeavour to silence all past
“ animosities. I am afraid you aim at too
“ much. You seem to be engaged in affairs
“ relating to the queen’s family, and lay
“ schemes upon the removal of her French
“ chaplains, and perhaps not to her liking.
“ I cannot say, but you acted prudently in
“ giving no umbrage to the ambassadors of
“ France and Spain, by making yourself
“ public;

“ public ; and I wish you had been as cautious
 “ in relation to the oath. Father Leander’s*
 “ example might have deterred you. His
 “ meddling about the oath was very ill taken
 “ by all parties ; but being a person of no
 “ extraordinary reach, he was not likely to do
 “ much either way. What will the Catholics
 “ say who refuse the oath, to see you familiar
 “ with those who maintain it ? It may, per-
 “ haps, be a stroke of politics, whereby the
 “ ministers of that court endeavour to draw
 “ something from you. Such practices are
 “ very common. It might, perhaps, not have
 “ been amiss to have mentioned, in general
 “ terms, something concerning the oath to
 “ secretary Windebank ; but you went too far
 “ in making proposals. In things of that kind
 “ it is your business to see, hear, and observe.
 “ It is a piece of necessary policy not to seem
 “ to be fully informed of matters. One of
 “ your character is supposed never to speak
 “ but to the purpose. It is a pleasure to hear,
 “ that the king speaks well of the pope ; but
 “ the praises of others are of no account with
 “ him, unless they be introductory to the main
 “ point of salvation. It is a comfort to hear,
 “ the

* I know nothing of father Leander, or to what the passage alludes,

“ the Catholics are not persecuted. All sorts
 “ of perils attend persecution—honour, faith,
 “ estate. The softening of the pope’s Brief,
 “ which Windebank mentioned, was a dan-
 “ gerous topic. You entered unadvisedly on
 “ that subject; yet were in the right to reply,
 “ that not repealing, but softening was to be
 “ the thing insisted on. I wish, however, you
 “ had never mentioned any thing of sending
 “ hither about the form of an oath, since you
 “ are not ignorant how much his holiness
 “ suffered on such another proposal concerning
 “ the sovereignty of the Grisons over the
 “ Valaisins. Should we form an oath here,
 “ and send it to the king, they would examine
 “ it, and censure it in England. On the
 “ whole, it is my advice, that you disengage
 “ yourself as well as you can from this trouble-
 “ some affair of the oath. However, what I
 “ write now is all from myself, till I can find
 “ a fit opportunity to represent things to his
 “ holiness, that you may have full instructions
 “ how to carry yourself hereafter. I commend
 “ your reservedness in not making any pro-
 “ mises of the pope’s writing to the king.
 “ Such things are never done, but when
 “ princes have drawn a letter from his holiness
 “ by writing first. Besides, a letter to the
 “ king must be by way of exhortation on the
 “ subject of religion, of which, perhaps, his
 “ majesty is not yet disposed to hear. As to
 “ the

“ the queen’s family, in my opinion, it were
 “ better not to be tampering there, nor to
 “ propose any schemes of a bishop residing
 “ with her in the manner you speak of.”

The king and
 Panzani meet.

All this while, Panzani and Windebank had frequent opportunities of conferring together. The form of an oath was very often the subject; and Windebank often took occasion to say, that he did not understand there was any inconvenience, or prohibition in our laws against corresponding with his holiness in matters purely civil and temporal. At last, by frequently repeating this argument, they resolved that it should be proposed to the queen and cardinal Barberini, whether a mutual agency between the court of Rome and England would not be very convenient. Windebank* seemed so charmed with the beauty of the project,

* Sir Francis Windebank who, in these memoirs, acts so conspicuous a part, had, in 1632, been made secretary, through the interest of Dr. Laud, himself, the year following, promoted to the see of Canterbury. Windebank was much attached to the Catholic party, (whose extraordinary patron, says Lord Clarendon, indeed he was.) In 1640, for his friendly conduct to that people, articles of impeachment were by parliament prepared against him, when he withdrew into France, was formally reconciled to the church of Rome, and died in that communion, in 1646. Dodd, vol. 3, p. 59. Clarend. vol. 11. p. 178, 80.

project, that he was beforehand with Panzani in communicating it to the queen. He assured her majesty, he would be secret, cordial, and assiduous in carrying it on, adding, that the king was very curious, and urgent to have a personal conference with Panzani, though, for some reasons, this meeting was to be the consequence of the queen's request, and not as if it were a motion of the king himself. The queen was rejoiced at the proposal, and went heartily into it : so that, in a few days, the king and Panzani were brought together, though in a very remote and unsuspected place, the queen also being present.

The king received him with a very cheerful countenance, taking off his hat, while Panzani kissed his hand ; and then, with a great deal of freedom, the latter gave his majesty an account of his business in England, with an ample assurance of the great affection his holiness had for him, and a grateful remembrance of the kind treatment the Catholics had met with under his majesty's mild and prudent reign. He also made a proper compliment, in the name of cardinal Barberini. — His majesty returned these compliments in a very obliging manner, owning that he had always conceived a very exalted idea of the merits of Urban VIII. and had an uncommon affection for his person, adding, that it was a sensible trouble to

L

him,

him, that the present controversies, and wars in Europe gave his holiness so much disturbance: that cardinal Barberini's virtues did give him a singular preference in his esteem: and as to the Catholics, he was resolved, none of their blood should be spilt during his reign, though things were otherwise represented at Rome; but, at the same time, he could not conceal the high provocations some of that party had given him, as namely Mr. Courtenay, whom they had recommended to the French court.—Panzani only replied in general, that he knew it to be his holiness's desire, that the Catholics should be punctual in their obedience to his majesty; and that it was expected, or hoped, on the other hand, that they should enjoy a reasonable indulgence in the practice of their religion.—Thus ended the conference between his majesty and Panzani.

He confers
with Winde-
bank on vari-
ous matters.

This interview encouraged Windebank to treat more familiarly with Panzani, especially on the heads of religion. He told him that, he really looked on himself to be a good Catholic; otherwise, that he should make no difficulty to bid adieu to all that was dear to him in order to purchase that name. He then instanced some things he boggled at in the church of Rome, and namely, the article of communion in one kind, which he viewed as a scandalous practice, adding that, if he were to be concerned

in uniting the churches, the Catholics should disclaim that article as a preliminary.—Panzani only replied that, in his opinion, the writers of the church of Rome had given full satisfaction on that head.—Windebank went on to another point: “If,” said he, “we had neither Jesuits nor Puritans in England, I am confident, an union might easily be effected.” — “As for the Jesuits,” answered Panzani, “though they have always been regarded as a learned body, and very serviceable to the church of Rome, yet it is not improbable but his holiness would sacrifice their interest, on the prospect of so fair an acquisition.”—This answer, as it was unexpected, so did it seem to please the secretary much. It was an instruction to him, that the church of Rome did not depend on the Jesuits, who had always been odious to England, not upon account of their religion, in which they were on the same footing with the rest of that persuasion; but because they were represented as too busy in state affairs and in temporal matters, and too much concerned in the gunpowder plot; and that the moderate men of the church of Rome had conceived a dislike to them, on account of their aversion to episcopacy, which they treated with disrespect, and viewed as inconsistent with their designs of always being at the head.

Windebank afterwards proceeded further in his discourse concerning an union, assuring Panzani, that all the moderate men in church and state thirsted after it.—Panzani, on this, desired to know what terms would, probably, be proposed as a plan to go upon.—The secretary said he would inform himself: but this he knew in the mean time, that it was expected, the church of Rome should give up three of her tenets, namely, Communion in one kind, the Latin Liturgy, and the celibacy of the clergy.—Panzani judging these points too big for him, only answered, that he hoped such obstacles might be removed: but, in the interim, to facilitate matters, he thought a decree for liberty of conscience would be a good expedient.—Windebank was of opinion, there would not be much difficulty in obtaining it, provided the Roman Catholics would not incapacitate themselves by refusing the oath of allegiance.—Panzani observed, he had already pressed the court of Rome as to that matter. “But why,” said he, “may not his majesty rely on the obedience of his Catholic subjects without the ceremony of an oath, as the pope relies on them in the article of his spiritual supremacy?”—And thus they concluded for the present.

Father

Father Philip, the queen's confessor, had incidentally some discourse with the king on matters of the same tendency, in which he endeavoured to persuade his majesty, that it was directly opposite to the whole design of the gospel, that there should be more churches than one; whence he inferred the necessity of a re-union. He also softened the article of communion in one kind, telling him, it was only a point of discipline, alterable with circumstances, and might be compromised so as not to be the subject of a breach; with other such like discourses in order to level the way, and remove prejudices.

Father Philip
discourses
with the king
on the re-uni-
on of the
churches.

I must here notice a contest which happened concerning the book entitled *Deus, Natura, Gratia*, the author whereof was Mr. Davenport, a Franciscan friar, otherwise called Franciscus a Sancta Clara. This book was highly esteemed by his majesty, as being full of complaisance for the Protestant systems in several points, and discovering an inclination of approaching nearer to them by concessions, where the Catholic cause would permit it to be done. But the work was far from being liked at the Roman court, where it was considered as a very dangerous production, far too condescending to schismatics and heretics. The generality also of the English Catholics were displeased with it. At Rome they proceeded to censure it, though

L 3

the

A work of fa-
ther Daven-
port pleasing
to the king,
gives offence
at Rome.

the decree was not made public, the author himself being first summoned to make his appearance, which he declined on account of infirmity, promising to give satisfaction any other way.

This, indeed, was but a private concern, yet it had a public influence, as things then stood. — It was the opinion of many that the king was inclined to hearken to terms of an union between the two churches; and that he looked on this book of Davenport as a remote disposition towards it. It was, therefore, deemed an impolitic step in Rome, to let their censures loose against it at this juncture. Father Philip was very industrious in acquainting the Roman court with the inconveniences of rigorous proceedings. He advised them to go on slowly; to wink at the author for a time, alledging that he had submitted himself, and that it would be soon enough to take notice of him, when he persisted, or affairs would permit a censure. — Soon after, care was taken to inform Windebank, that the condemnation was suppressed. But it happening that the author, or some one for him, set forth another edition, in which no submission was expressed, Panzani told the secretary, he was afraid the court of Rome would proceed to a censure, and declare the author contumacious, that the faithful might not be scandalized. The
account

account gave Windebank great concern; and being acquainted with the author, he conferred with him on the subject. They agreed in opinion, that a censure would irritate the king, and divert him from any thoughts of an union. However, to soften the matter, it was given out, and confidently reported, that Mr. Davenport was still prepared to submit himself, and that he had no hand in the second edition, it being the bookseller's contrivance solely for the sake of gain. Windebank also pressed Panzani to take care that they were very cautious at Rome, for that it would certainly ruin all their projects, if a work of that pacific tendency were condemned. But notwithstanding all the care which the author and his friends could take to stifle the censure, (which as yet was only privately whispered at Rome,) the Jesuits were very busy in publishing it among their acquaintance in England. Davenport then published an *Apology*, wherein he amply declares himself as to the work itself, and submits himself both in that, and all other matters, to the Roman see. He was not, however, willing to leave England; but rather strove to shelter himself under the king's protection, which to some persons appeared to be a very odd proceeding, and looked as if he designed to go on further. Even some suspected the worst of him, from his having once been a member

member of the English church.—In the mean while, Panzani omitted not to advise his court to be cautious, and to compliment the king in favour of Mr. Davenport, as far as the case would admit.

Windebank's
opinion of the
Jesuits.

At another conference between the secretary and Panzani, the former took a great deal of liberty in railing at the Jesuits, whose number, he said, was above 300; and that it was expected, they should either all be banished or be reduced. He added, it was his opinion that, in case his majesty were disposed to listen to an union, the Jesuits and Puritans would endeavour to obstruct it; that the Jesuits were Spaniards by faction; that an union brought about by a French woman (the queen) would tie France and England together in interest as in religion; and that the Spaniards must be sufferers by that event. Again, he suspected the Jesuits would ruin the project by humouring the king in some other matters; that it would be as much for their interest to continue as they were, they being full as expert in raising their fortunes in a storm, as in a calm.—Panzani was very much displeased at this invective against the Jesuits. He told Windebank, that the world laboured under great prejudices in their regard; and that, though some particular persons among them might be deservedly censured,

censured, the whole body ought not to bear
 the weight of the charge. — “ It is in vain,”
 answered the secretary, “ to colour their pro-
 ceedings: England is no stranger to their
 labours and inclinations: we have been
 many years acquainted with their artifices:
 The church may subsist very well without
 them; and why should a nation be pestered
 with them? — “ Is it likely,” rejoined
 Panzani, “ that the king would send away
 the Jesuits for refusing the oath, and tole-
 rate the clergy in the same practice? I am
 informed that, about two years since, his
 majesty was heard publicly to say, that the
 greatest sticklers against the oath were the
 secular priests. Nay, it is well known at
 this day, that the Jesuits are on good terms
 with those that take the oath; nor do they
 drive them from the sacraments, as several
 of the secular priests are known to do.”—
 This is the substance of what Panzani wrote
 to the cardinal in a letter dated March 16,
 1635, which he concludes thus: “ If the
 king will agree to have the controversy
 about the oath determined according to a
 method prescribed by his holiness, it will
 then, perhaps, be thought reasonable to
 humour him in what relates to the Jesuits.
 In the mean time, I do assure you, he is
 very much exasperated against Courtenay,
 not only for declaiming against the oath,
 but

“ but because he has fallen foul on the royal
 “ prerogative, and expressly prefers the
 “ authority of the parliament to that of the
 “ king.”

Anecdote ref-
 lecting father
 Garnet.

I must not omit to mention an incident which happened during Panzani's agency, in relation to Father Henry Garnet a Jesuit, who was executed for the gunpowder plot, in the beginning of the reign of his majesty's father. Roman Catholics were at liberty to signify their opinion of that gentleman's innocence, by thinking or acting as they pleased in private; but his majesty deemed it an insult to his parent's memory, that he should be publicly venerated as a saint or martyr, who had juridically been condemned as a traitor. For the king was informed, that the picture of father Garnet was not only exposed in chapels abroad, but also that he was beatified, if not canonized as a saint, by Urban VIII. Urban, to disabuse his majesty, as far as either he or the church was concerned, ordered Panzani to shew two decrees to the king. One imported that no picture or image should be exposed in churches without the pope's express licence, which had never been granted in favour of father Garnet: the other was, that no beatification or canonization could be completed, till fifty years after the person's decease. The king appeared satisfied with this assurance from his holiness, and concluded

concluded that the respect shewn to father Garnet was only an instance of mistaken domestic zeal.

By this time, Urban had been made acquainted with all the particulars relating to Panzani's agency, of which having weighed every point, he ordered Barberini to give him his instructions. This the cardinal did in a letter dated March 13, 1635, the substance whereof was:—"That, for the future, he should engage himself no further in the controversy about the oath, but as he was advised by father Philip, the queen's confessor:—That his chief business in England was, to enquire into the differences between the secular clergy and the regulars:—That he should keep the conferences he had with secretary Windebank a secret from the Roman Catholics, who would be apt to grow uppish on the report of an union between the two churches, and so break out in impertinences, which afterwards, if the design missed, would have a contrary effect, and draw a persecution on them:—That England would, by that means, prove too hot for Panzani himself, as some had already suggested, he could not remain there long:—That, in a little time, he would be recalled; for in case what was hoped for did succeed, that affair was too big for him and must pass through other hands:—That the method he took to silence

" both

The cardinal sends instructions to Panzani in three letters.

“ both parties about the oath of allegiance,
 “ was an injury to the right his holiness claimed
 “ in that controversy : — That the court of
 “ Rome would make a further trial of the
 “ disposition of the court of England, before
 “ they would enter into any further corres-
 “ pondence concerning an union ; for as yet
 “ there was reason to suspect, the king was not
 “ sufficiently prepared for that nice point, as
 “ his aversion to such as opposed the oath, and
 “ his favouring others of a contrary sentiment,
 “ was a strong indication : — That the author
 “ of the book, *Deus, Natura, Gratia*, should forth-
 “ with disclaim his bold assertions, and leave
 “ England, for as yet his fault was pardonable,
 “ and should be forgotten : — That Panzani
 “ should content himself with assuring the
 “ king in general, that he should have all
 “ reasonable satisfaction, of which his holiness’s
 “ promise to forward the match between the
 “ king of Poland and a daughter of the
 “ elector Palatine was a good earnest : — In
 “ fine, that Panzani would avoid all familiar-
 “ ality with the archbishop of Canterbury, lest
 “ it might give occasion to the regulars to
 “ suspect, that his holiness meant to revoke the
 “ decrees against the oath of allegiance, as it
 “ had already been noised abroad.”

In another letter from Barberini dated
 April 25, 1635, Panzani is instructed “ to feel
 “ the

“ the king’s inclinations as to a bishop; but
 “ that this be done by the queen’s means,
 “ for no suspicion was to be given, as if the
 “ see of Rome had entered into any such
 “ consultation. This also was to be kept
 “ from the regulars, especially the Jesuits, who
 “ certainly would traverse all such designs.
 “ In case the king hearkened to the proposal,
 “ and was afterwards inquisitive about the
 “ bishop’s jurisdiction, that Panzani should
 “ say nothing as to that point, and seem to
 “ act in the whole with a commission; yet
 “ to insinuate, at the same time, as from
 “ himself, that the see of Rome would grant
 “ no jurisdiction to a bishop that should be
 “ prejudicial to the Protestant hierarchy. He
 “ then exhorts him to carry himself in such
 “ a manner, as to give the Jesuits no occasion
 “ of jealousy against him, since his object was
 “ to bring the clergy and regulars to a good
 “ understanding: that he should, for the
 “ future, keep off from those two dangerous
 “ points, the oath of allegiance and the re-
 “ union of the churches: in fine, that he
 “ would never more insinuate about banishing
 “ the Jesuits, or reducing their number in
 “ order to please the king.”

In another letter from the same cardinal
 dated May 9, 1635, he acquaints Panzani,
 “ That the proposal made by Windebank,
 “ That

“ That the church of Rome should give up
 “ some of her articles, viz. communion in
 “ one kind, the celibacy of her clergy, &c.”
 “ would never please at Rome; that the
 “ English ought to look back upon the breach
 “ they had made, and attend to the motives
 “ that induced them to it; and that the
 “ whole world was against them as to the
 “ points mentioned.”

Panzani com-
 plains to him
 of the Jesuits.

It has been before observed that Panzani,
 in letters from Rome, had been charged with
 exceeding his commission in several particu-
 lars. The circumstance gave him some uneasi-
 ness: wherefore, in a letter to Barberini dated
 April 11, 1635: “ he promises to act more
 “ warily: yet he cannot, he says, without
 “ injury to truth and to his character, con-
 “ ceal the carriage of the Jesuits, against whom
 “ he makes fresh complaints, viz. That his
 “ being sent over in England, without their
 “ being pre-acquainted, was an unpardonable
 “ fault; that, every day, they gave fresh
 “ instances of their aversion to bishops, ex-
 “ citing, by their emissaries, the archbishop
 “ of Canterbury against the proposal.—They
 “ published everywhere that Panzani was
 “ recalled, and that he had offended both
 “ the king and the ministry by his misbeha-
 “ viour, and was only a spy upon the nation.
 —“ The Jesuits, he observes, were exasperated
 “ against

“ against him, thinking their credit much
 “ weakened by his coming over: that they
 “ usually made the nation believe, his holiness
 “ did nothing without their advice, especially
 “ in matters relating to religion.”

In a letter of June the 13th, 1635, he tells Barberini, “ that the Jesuits gave out, that he
 “ was not sent by the pope, but by cardinal
 “ Richelieu; so much were they perplexed to
 “ find themselves neglected at Rome on this
 “ occasion.” — This letter concludes with the
 following words: “ Your eminence must not
 “ be surpris’d, that I complain so much and
 “ so often of the Jesuits, because I see plainly,
 “ they are the only persons that cannot bear a
 “ bishop; and, questionless, they will excite
 “ all their penitents against him. Every day
 “ I hear new complaints of them, and of their
 “ equivocations; and yet I have given them
 “ more encouragement and tokens of confi-
 “ dence than to any others; which they
 “ requite with spreading idle and personal
 “ reflections, casting my horoscope, and pre-
 “ tending to be privy to all the particulars of
 “ my life. And of late, one father Roberts of
 “ that order attacked me so briskly on account
 “ of partiality in their disfavour, that I found
 “ myself obliged to make use of the strongest
 “ asseverations to silence him.”

Is perplexed
in a confer-
ence with the
secretary.

Panzani was now considering what answer to return to Windebank on the subject of the new oath. He had received orders from Rome to draw himself out of the affair; which he endeavoured to do in the following manner.—First, he signified that, by his last accounts from the holy see, both the pope and cardinal Barberini owned themselves extremely honoured and satisfied with his majesty's candour and assurance, that there should be some softening clauses added to the oath of allegiance, which was a condescension, they admitted, suitable to his majesty's known clemency and goodness. But as for wording an oath, his holiness thought that part belonged to the English ministry, as being better capable to judge how far allegiance would be required by the laws of their country and the principles of their religion.—Windebank was at a loss how to get rid of this compliment; and Panzani had express orders not to meddle with the form of the oath. Wherefore, to divert the discourse, he entertains Windebank with something relating to the book, *Deus, Natura, Gratia*, particularly remarking that it was prohibited at Rome.—The secretary appeared much concerned, and begged that prohibition might not be made public in England, adding that the author was very much esteemed, not only among the Roman Catholics, but also by the king; that the work contained nothing contrary to the faith of the church of Rome;

Rome; and that father Philip valued the author as a person of great virtue, learning, and probity.

It was not possible to conceal this matter from the king, who was so irritated when he was truly informed of the fact, that it was scarcely in the queen's power to pacify him. When he had recovered his temper, he said: "He hoped the see of Rome would not proceed to prohibit all other books of the same tendency; and particularly that he should consider it as a singular affront, if a book against father Courtenay now in the press should be censured at Rome." Courtenay had asserted the deposing power. He desired the queen to acquaint Panzani with his sentiments, which, if complied with, he might still remain in England without molestation.

The king is irritated.

Cardinal Barberini being informed of this particular, thought it a dishonour to the holy see, to have a bar put to the execution of its jurisdiction. But to compromise the matter, the answer to Courtenay never appeared; and thus the affair ended. And not long after, the design of a reciprocal agency between the queen and the court of Rome was set on foot, as will be seen in its proper place.

In the mean time, Panzani in a letter to the cardinal dated July 4, 1635, gives him an account

Panzani again complains of the Jesuits.

M

count

MEMOIRS OF

count of a scheme which was laid some time before he came into England, and which chiefly related to the controversy about a bishop. It was this.—One Basil Brook,* a gentleman of account and very zealous in maintaining the privileges of the regulars against episcopal jurisdiction, made Panzani a visit, and left in his hands a *Protestation* against the government of bishops in England, signed by many of the Roman Catholic laity.—The writing was delivered with an intimation, that he was at liberty, if he pleased, to shew it to the secular clergy who might themselves examine the signatures.

Panzani was soon given to understand, that this was a stratagem invented a few years before, when the regulars apprehended that a bishop would be sent to supply the absence of Dr. Smith. The queen was displeased to find the regulars were playing their old game. Besides, Panzani, on enquiry, discovered that several of the subscribers were scarcely Catholics, and that others refused to acknowledge their names, which gave him an ill impression against such proceedings. In the letter above mentioned he has these words: “ Does not your eminence
“ plainly

* Sir Basil: See Dodd, vol. 3, p. 58. and p. 129 the heads of the *Protestation* or Remonstrance here mentioned.

“ plainly see, what tricks Brook and the Jesuits
 “ play, that I may be disappointed in speaking
 “ to their partizans, and in having the signa-
 “ tures verified. At my first appearing in
 “ London, that their adherents might not come
 “ near me, they gave out that I was a pensioner
 “ of France and an agent of cardinal Richelieu;
 “ again, that a persecution was at hand, and it
 “ was not prudent to visit me. Some patience
 “ is required to bear these men’s reproaches.—
 “ They spare neither the queen, nor his holi-
 “ ness, nor your eminence; and indeed, you
 “ have affronted them, without measure, in
 “ sending me hither without first having taken
 “ their advice. One of their capital objections
 “ against me is, that I am not an impartial
 “ person, that is, that I am not wholly addicted
 “ to their domestic interest. For as they esteem
 “ their own proceedings just and reasonable, so
 “ all that fall not into their measures are want-
 “ ing in their duty, and are partial. They
 “ have spread about another report, viz. that
 “ I am ordered by your eminence to apply
 “ myself no more to the queen or Windebank;
 “ but rather to Mr. Cottington, the other secre-
 “ tary of state, a great friend to the Catholics,
 “ but particularly addicted to the Jesuits interest.
 “ In this they seem to have a double view:
 “ first, to set me at variance with Windebank
 “ and the archbishop of Canterbury, (who are
 “ professed adversaries to the Jesuits); then,

“ by Cottington’s means, to penetrate into my
 “ designs. Cottington is their friend, and a
 “ Spaniard by faction ; yet I cannot think, he
 “ would reveal my secrets to the Jesuits, know-
 “ ing it would be highly displeasing to the
 “ king and the primate, and be a certain way
 “ of throwing himself out of favour.”*

Converses
 with Cotting-
 ton about a
 bishop.

The idea Panzani had formed of secretary Cottington, was very just, of which he gives a proof in another letter to the cardinal dated July 11, 1635. “ One day,” he says, “ dis-
 “ couring with Cottington concerning a
 “ bishop, he observed, that it was a nice point.
 “ If, said he, the pope sends a bishop against
 “ the king’s inclination, the Roman Catholics
 “ will have reason to apprehend the conse-
 “ quence ; and for the king’s inclinations, he
 “ was satisfied, they were averse to the design
 “ at present.—Panzani replied that, in his
 “ opinion, nothing could conduce more to-
 “ wards keeping the Catholics in a due sub-

“ jection

* Sir Francis Cottington had been created baron Cottington in the 7th of Charles, and was, at this time, chancellor of the exchequer. “ He had the disadvantage of being suspected at least a favourer of the Papists, (though that religion thought itself nothing beholding to him,) by which he was in great umbrage with the people:” says Clarendon, vol. 1, p. 151. He died in Spain, after the restoration, a member of the Catholic church. Dodd, vol, 3, p. 47.

“ jection to their prince, than to have a head
 “ placed over them to inspect their behaviour,
 “ especially since assurances would be given,
 “ that the episcopal power granted by the
 “ pope should not give any annoyance to the
 “ Protestant clergy.—Cottington seemed not
 “ to relish the proposal; and as a proof of the
 “ king’s dislike to it, he said, his majesty was
 “ about to order abbé du Perron to be removed
 “ from the queen’s family on a report that he
 “ was elected bishop in France.”

Before Panzani would make any trial of the king’s inclinations in regard to a bishop, he judged it would be well to enquire, how the generality of Catholics stood themselves affected that way. To this purpose, he resolved first to inform himself of the particulars of that Protestation of the laity, lately put into his hands, but which was drawn up in August 1631, before he came into England. He observed that many of the subscribers studiously kept out of the way: but when he insisted, that they ought to appear to justify their signatures, some of them owned they had signed against a bishop, but were persuaded to it. Others said, they had signed only by proxy; and others, that they had opposed a bishop on a misrepresentation of his power, and a belief that it would certainly draw a persecution on them. It was generally believed that the regulars were,

And discovers
 the real senti-
 ments of the
 Catholics on
 the subject.

at the bottom of this contrivance, and that the apprehension of being cramped in their privileges had made them so very industrious.— Now the true state of things was this.

The generality of the laity, from the very beginning desired nothing more than to be governed by a bishop; and many persons of distinction among them offered to take the whole concern upon themselves, not only in providing for his subsistence, but in answering for his behaviour, and engaging he should appear when the king or ministry required it.

—The *Protestation*, therefore, being detected as surreptitious, in many particulars, the regulars at last publicly disclaimed it, and cleared themselves from the aspersion cast upon them on that account. Indeed, there were several manifest proofs of very unfair dealing. — For, besides the tricks already mentioned, it was found that, of twelve noblemen named in the paper, few of them had really signed; some were infants; and some, in other respects, had been drawn in.*—On his return to Rome, Panzani made this appear before the congregation *de Propaganda fide*

* See Dodd, vol. 3, p, 139, 141, 2. Also p. 149, 50: whence it appears what were the real sentiments of the Catholics, and by what means the signatures to the protestation were procured.

fide. Now the regulars and such of the laity as were against a bishop, were not so averse to the design, as to wish the clergy were left destitute of a head to inspect them, provided he claimed no authority over the regulars or the laity. They proposed, therefore, to have the scheme of the archpriest revived. On the other hand, the secular clergy insisted, not only on having a bishop according to the divine and primitive institution; but that he should enjoy that power which other bishops claimed in the church of God. They saw no reason, why the Indies should be favoured with bishops, and only England neglected. They alledged, that the queen, and the majority of the nobility and gentry earnestly desired it. That it was to be apprehended, the regulars had human views in opposing it. That the scheme of an archpriest was unusual, and not authorised by the laws of God or the practice of antiquity. That it would not answer the ends of the mission, as they had learned by experience; to say nothing of the indirect means made use of to introduce it amongst them. That the title of a bishop could afford no grounds for a persecution, as was plain in the bishop of Chalcedon's case, who lived undisturbed, till the nation was excited against him by the libels and clamours of their own party. What had the government to apprehend from a bishop more than from an archpriest, or other dignified

fied churchman enjoying the same jurisdiction? How could it be judged an encroachment on the privileges of regulars to become subject to a bishop while strolling on the mission, when even in their monasteries, according to the decrees of the council of Trent and the discipline of the church, they could not make use of their faculties in regard to the laity, without episcopal approbation?

New scheme
for a bishop.

While the two parties were thus employed in producing arguments in favour of their pretensions, the ambassador of Spain, with the resident of Flanders, proposed the scheme formerly hinted at by Panzani, though on the view of a different interest. They took it for granted, that the greatest part of the English Catholics were Spaniards by faction, and thence inferred, that they would be best pleased with a bishop who should reside with the Spanish ambassador in quality of his excellence's almoner. This proposal was considered as very favourable to the English Catholics in general, because it would serve as a precedent for the French ambassador or other foreign agents to expect the same favour; and the queen herself might enjoy the same privilege. The Jesuits were supposed to be at the bottom of this design, being not yet cured of their apprehensions, that the bishop of Chalcedon would make them another visit.—

Urban

Urban VIII. would not listen to any such proposals. Several inconveniences seemed to attend it. The court of England was always jealous of the liberties foreign ambassadors took in admitting English Catholics into their chapels, which would be greatly encreased when a bishop had his residence there. Besides, the Catholics would be divided into factions by adhering to bishops protected by different nations; and their differences, instead of being composed, would break out in new controversies, and ruin the common cause.

While persons of no great interest were pleasing themselves with these imaginary schemes, the queen and Panzani were so far advanced, as to have the question proposed to the king, whether he would be content that a bishop should be appointed? The queen solely appeared in it, Panzani having been expressly ordered by Rome, not to run the hazard of a refusal himself. His majesty's answer was very candid: "that it could not be permitted; for that neither the bishops nor his ministry would hearken to any such proposal, as things now stood."—Nor was it possible to move the king from his resolution, he being naturally both fearful and tenacious, and his chief favourite and counsellor, the archbishop of Canterbury, keeping him close to the point,

The king refuses to admit a bishop.

I men-

Project of a reciprocal agency, on which father Philip writes to Barberini.

I mentioned before a reciprocal agency, that was projected between the court of Rome and the queen of England, the design of which was to make an experiment, how far the two churches could be brought towards a union. The disappointment, as to the king's allowing a bishop, was no impediment to this scheme.—Windebank was the first proposer, and he was careful not to slumber over so pleasing an idea. Cottington and the cardinal had, in like manner, been acquainted with it, who not only gave their approbation, but went heartily into it. But before they proceeded any further, Barberini ordered father Philip, the queen's confessor, to deliver his sentiments on the subject, as to its practicability and method. Father Philip was a person of great penetration, who had made it his business ever since he came into England, to observe the religious dispositions of the nation. The substance of the account he sent to the cardinal was this:

“ That the king and several of his ministry
 “ were far from being adverse to an union :
 “ that it was an undertaking of the most dangerous consequence, on account of the many
 “ and severe edicts that were in force against
 “ the Roman Catholic religion : that those
 “ who were most favourably inclined to the
 “ Catholic cause, were frequently obliged to
 “ give proofs of their zeal to the contrary for
 “ fear

“ fear of notice; in which case it was difficult
“ to form a just idea of their real sentiments,
“ seeing they found themselves under a necessity
“ of varying from themselves, and acting inco-
“ herently. For instance, he said, when there
“ was any pressing occasion for money, the
“ king was obliged, contrary to his inclination,
“ to let the laws loose against the Roman Catho-
“ lics, otherwise the Puritanical house of com-
“ mons would make no progress in the money
“ bills; for the government not being arbitrary,
“ no extraordinary levies would be granted
“ without the people’s consent. That, the
“ bishops in like manner, (though several of
“ them were disposed to enter into a correspon-
“ dence with Rome) when their temporalities
“ were threatened by the Puritanical members,
“ (as they had frequently been of late) went
“ into the same persecuting methods; that such
“ a conduct as this had so much of contradiction
“ in it, that it was altogether unintelligible to
“ those who were not perfectly acquainted with
“ the infirmities of human nature, and parti-
“ cularly with the irresolution of these islanders.
“ Yet, after all, if Windebank’s project of a
“ reciprocal agency could be set on foot, there
“ might be some hopes of a reunion.”

Then father Philip goes on and acquaints
the cardinal with the qualities of the agents
proper to engage on such an undertaking:
particularly

particularly he gives his opinion of the Italian agent, viz. “ that he ought to be about 35 years
 “ of age, youth and old age being neither of
 “ them capable of that desirable mixture of
 “ gravity and spirit requisite in a public minister; that he ought to be noble, rich, handsome, and affable in conversation; a good
 “ economist, observing strict order in his family;
 “ grave and reserved, yet complaisant, especially
 “ to the ladies of the court, and still here very
 “ guarded, the king and queen being
 “ strictly virtuous, and professed enemies to immodesty and gallantry.—Then, as to more
 “ public qualifications: He must be skilled in
 “ the French language, which will carry him
 “ through all the business of the English court;
 “ always accessible, and willing to give full
 “ satisfaction to all that address themselves to
 “ him; never to blame the king or ministry for
 “ the severities sometimes practised against the
 “ Roman Catholics, but if any reflections be
 “ made, to take care they be only levelled
 “ against the pursuivants and other inferior
 “ officers; not to appear too zealous to have the
 “ Catholics relieved from their hardships; to
 “ compliment the secretaries of state with an
 “ account of what passed at Rome, and foreign
 “ courts, yet still with due regard to his trust,
 “ and respect to his religion. He would have
 “ the queen now and then pleased with Italian
 “ curiosities, and every one accosted in their
 “ own way and enticed by proper baits.”

Then

Then he proceeds to give his opinion how things ought to be managed, after the goodwill of the ministry and privy council shall have been secured; viz. "That none of the laws
 " against Roman Catholics be executed, without
 " an express and written order from above to
 " every inferior office, which will afford time
 " to ward off the blow, and amount to an
 " interpretative liberty of conscience; and, at
 " the same time, be an encouragement to
 " moderate Protestants to speak their minds
 " freely in favour of Roman Catholics. This
 " might be followed afterwards by more parti-
 " cular allowances for liberty of conscience, and
 " so on gradually, till it became general; and
 " then, in a few years, the leading men of both
 " houses might be induced to think of an
 " union."

Such was father Philip's plan, of which the cardinal very well approved; and his opinion on the whole was, that the difficulties were not so great but they might be surmounted, in case the king would espouse the cause heartily.

The cardinal on this assured father Philip, that nothing should be neglected in order to provide such an agent for England as should possess all these necessary qualifications; and that the business of Panzani was daily to cultivate the good dispositions of the two secretaries.

The king
comes into
the Project.

It

It required some address to make these gentlemen act in concert; for though they were both zealous in the cause, yet Windebank having been the first proposer of the scheme of the mutual agency, he might perhaps be disgusted, if he were not also a principal actor. But matters were so contrived, that both were equally employed.—The queen now informed his majesty of the particulars, to which he did not object; and he ordered that Cottington should be consulted, being very capable, he said, to advise. This served to unite the secretaries. Secrecy was enjoined on all hands; and the king requested, he might himself name the person who should be sent to Rome. As to the agent thence to the queen, he desired he might not be in orders; for a lay man would give less jealousy to ministry, nor be considered as a nuncio, and, at the same time, would be the fittest person to terminate the disputes between the clergy and regulars. The matter being thus far settled, Windebank, as the original mover of so promising a work, appeared much delighted.

Mr.
Montague.

At this time there was a young nobleman at court, Walter Montague, whose conversion to the church of Rome rendered him highly serviceable in conducting the present projects. His birth, abilities, and other shining qualifications had made him the queen's favourite; nor did they recommend him less to all those who had the honour

honour of his acquaintance. While he was a Protestant, his curiosity had led him to visit Rome, where, on the queen's recommendation, he could not fail of a proper reception. Returning to England, he took Paris in his way, where he studiously expressed the extraordinary civilities he had received from Urban VIII. whose carriage and unfeigned affection to the English nation, he said, had so charmed him, that he thought there could be no greater happiness than to stand at the elbow of so deserving a prelate. Cardinal Barberini also, in imitation of his master's example, had so loaded Mr. Montague with presents and well-suited compliments, that those two great men were the constant subject of his discourse and his praises. By the hands of this gentleman, the cardinal presented the king of England with a large picture of Bacchus, the work of the celebrated Guido, understanding that his majesty was a great admirer of such curiosities. — Mr. Montague was so impressed with a sense of religion, from the appearance it made on the countenance of Urban, that, from the first moment of beholding him, he formed a resolution of becoming a Roman Catholic. On his return to England, he executed this resolution; if he had not done it privately before, as many conjectured. When the king heard of his conversion, he signified privately to him, that it would give less offence to government, if he
absented

absented himself from court, at least for some time. In obedience to his majesty's orders, Mr. Montague, soon after, once more went abroad, and visited Paris and Rome.*

Mazarin is made acquainted with the scheme of the agency.

I have before mentioned that, when Panzani left Italy, he joined himself to the retinue of Signor Mazarin who was then going agent to the court of France. This Mazarin was a man of high endowments, and of a remarkable penetration and dexterity in the management of business. The queen of England, therefore, and the cardinal judged it proper to admit him into the secret concerning the projected correspondence between the courts of Rome and England. And in a little while, he was employed in some remote matters relating to that affair.—The queen had requested Barberini to use his interest with the famous Bernini, that he would cut two bustoes, one of his majesty and

* He was son of the earl of Manchester, and brother to Edward Montague Lord Kimbolton. At the breaking out of the civil war, he retired to France, and was made commendatory abbot of the rich monastery of St. Martin. The name of abbot Montague often occurs in the transactions of the Catholics. To their interest he was greatly devoted, and to the cause of royalty. He died about the year 1670. Dodd, vol. 3, p. 93, 4.

and the other of herself. Bernini consented.* Mazarin very much applauded the measure, as a means, he thought, which would conciliate the king of England, as Bernini had lately refused a similar request to cardinal Richelieu. And the reasons given by Bernini for refusing the cardinal, not being very consistent with the willingness he now shewed to oblige their Britannic majesties, Mazarin was desired by the queen to interpose, so that it might be no affront to that great minister. Though this may be looked on as a trifling occurrence, yet Barberini had such an idea of it, that he judged it to be a considerable step towards settling the desired correspondence. We have an account of some things relating to it in a letter of the cardinal to Mazarin, dated October 20, 1635, which is as follows.

“ I am happy to find you concur with me
 “ as to the affairs of England. I only want
 “ Mazarin’s judgment and good taste in select-
 “ ing the small presents I am sending into
 “ those parts, and his hand to offer them,
 “ which, I know, would render them accept-

* It is related that, while the artist contemplated the original picture of his majesty, which he was to copy, he remarked the melancholy lines of the countenance, that seemed to portend, he said, some fatal catastrophe to that royal personage.

“ able. You are not ignorant, upon how
“ many accounts, I am obliged to employ my
“ time for the good of England, it being no
“ small honour to me, to have been named its
“ protector. My greatest ambition is to enjoy
“ that title in its full extent, which the queen,
“ in some measure, procures me, by becoming
“ a common mother to the distressed Catholics,
“ and equally a friend to the clergy and
“ regulars. The conduct of that kingdom is,
“ of late, very much altered in regard to
“ Catholics. They have now both fair words
“ and good looks, who not long ago were con-
“ tinually frowned upon. Nature has poured
“ forth great treasures on their king. It is
“ our daily prayer, that he may be as rich in
“ grace. I am not able to answer the com-
“ pliments, you make me, as to the prospect
“ of re-uniting that kingdom: but I refuse
“ not the congratulation as to the issue hoped
“ for from the mutual agents, we are going to
“ establish between the two courts. In this
“ concern, I doubt not but Mr. Montague has
“ done his part. Fail not to impart to me
“ any thing, you may think will contribute to
“ the good and happiness of England; for I
“ am willing you should come in to rival me
“ in that business.—The statues go on pro-
“ perously; nor shall I hesitate to rob Rome of
“ her most valuable ornaments, if, in exchange,
“ we might be so happy, as to have the king

“ of

“ of England’s name stand among those princes
 “ who submit themselves to the apostolic see.
 “ It is well known, that his holiness has an
 “ uncommon affection for that prince; and
 “ his conversion is the only thing he aims at.
 “ Yet it is the opinion of his holiness and
 “ myself, that he is naturally tenacious, and
 “ not easily removed from the principles in
 “ which he has been educated. This difficulty
 “ is daily experienced in those who are less
 “ tenacious, and in things of less moment.
 “ Did not Clement VIII. both before, and
 “ after he was pope, try several ways to bring
 “ over his present majesty’s father, king James I.
 “ but in vain? Yet, at the same time, I
 “ flatter myself, it will be no hard task for
 “ Urban VIII. to make king Charles sensible,
 “ that he seeks neither interest nor convenience,
 “ but solely the good of his soul in the corre-
 “ pondence he would establish. All I can do
 “ is, to desire the conversion of that kingdom,
 “ where my power can do little; and where my
 “ sins, perhaps, are an obstacle to it. How-
 “ ever, willingly I would part with my life
 “ and substance in so glorious a cause.”

The presents, which the cardinal mentions,
 were delivered to the queen by Panzani, and,
 considering the person to whom they were sent,
 a lady, we may imagine, as well pleased with
 curiosities as with things of value, they were

Barberini
 sends presents
 to the queen.

well selected. They consisted chiefly of artificial flowers and fruits; a bottle of oil of Cedrino, a rarity not seen in England before; an extraordinarily fine relic-case, gilt, with one side covered with a large chrystal of the mountains, and within it a bone of St. Martina, virgin and martyr, (whose body was a little before found under the Capitol;) a short summary of the saint's life, by way of exhortation to the queen; a book of *Roma Subterranea*, with an account of the churches discovered and cleared from the rubbish by Helena the empress, a British lady, and an allusion to the Catholics absconding in England, and now in hopes of appearing more publicly by the zeal and interest of her majesty.

Panzani delivered these presents with a compliment suitable to the occasion; and in particular, he omitted not to signify, that St. Martina would not fail to be a powerful intercessor for England's conversion, and support her majesty in her zealous endeavours that way.

The queen was extremely pleased with these curiosities; but most with the relic of St. Martina, whom she chose for her future patroness. The workmanship of the case was so exquisite, that the king who had a good taste, and was an admirer of such things, expressed his

his surprize at the beauty of it. Hence also he took occasion to mention to father Philip, how desirous he was to purchase the statue of Adonis, of which he had often heard, and which was now in the villa Ludovisia near Rome. Father Philip, at his majesty's request, wrote to the cardinal about it, telling him that no reasonable sum would be refused for the purchase. Barberini spared no pains to gratify the king, but without success; and many letters passed on the subject. In his last to Panzani the cardinal thus concludes: "I wish I could effect the matter so, that the statue might be sent to London, and that it might share a different fate from what it had, when the emperor Adrian placed it in the building wherein our Saviour was born, that it might drive the christians from that signal place of worship. I hope, I say, it would not meet with the same reception in England. But the truth is, the statue is not to be purchased by money. It belongs to the duchess of Fiano, who will not suffer it to be separated from the rest of her statues and paintings, of which she has a curious and a numerous collection."

But to proceed to the business of the agency. — After frequent consultations, the king was pleased to name Robert Douglas to be the agent on the queen's part. He was a person of great abilities,

Mr. Brett is
appointed
agent to Rome.

abilities, and of singular candour; one in whom his majesty could confide, and himself no stranger to the court of Rome, where he had resided in the year 1633. But this gentleman dying soon after his appointment, they were at a loss for a successor. Father Philip proposed one Charles Waldegrave, a man of learning, integrity, and other great accomplishments; and who had received his education in the English college at Rome. Others mentioned Arthur Brett, a gentleman of good parts, brought up to arms abroad; but he was a stranger to the Italian language. In the opinion of many, this was a serious objection; and indeed, Mr. Brett himself alledged it, adducing other reasons why he was unequal to the undertaking. However, both the king and queen approved the choice; and his modesty in refusing it was not the least inducement to make them insist, that he should be the person. They told him, his deficiencies as to the language and other matters should be supplied by very able assistants, viz. by Mr. Conn, a Scotch clergyman of uncommon merit and abilities, well versed in all the ways of the Roman court, (and then at Rome,) as also by the cardinals Bagni, Spada, and Bichi, who had formerly been nuncios in France, and who would be disposed to shew him every attention on the queen's account, with whom they were personally acquainted.

Windebank,

Windebank, when he understood that Brett was made choice of, could not conceal his concern from Panzani, telling him, he feared the king had made a false step, for the Italians would certainly reflect on the prudence of the managers in the nomination of a person so remarkably unqualified. He named others, whom he thought more proper; and among these one Mr. White, a man of great capacity and well versed in business. But father Philip opposed this gentleman as being visibly a creature of the Jesuits. The queen also would not hear of him, when she understood that his wife was the late lord treasurer's daughter.*—The choice of Mr. Brett was equally displeasing to secretary Cottington, who apprehending that he had no great friendship for the Spaniards or Jesuits, concluded his agency would be prejudicial to that interest. Some friends of the Jesuits muttered, as if the project would come to nothing, observing that it was a public concern, and that they ought to have been consulted in it; that such a correspondence was dangerous, being expressly against the laws of the country. They exaggerated Mr. Brett's incapacity; and represented Mr.

* Weston earl of Portland. See his character Hist. of Rebel. vol. i. p. 47. &c.

Mr. Conn, who was to be his coadjutor, as a person wholly devoted to the Roman interest, — Notwithstanding these discourses and surmises, the queen was resolved to push the matter forward; which she did with unusual fervour, as well upon a view of the general good, as to convince the world that she was not slow in serving the English Catholics, as had of late been represented. The king, in this affair, was entirely under the direction of the queen; yet he enjoined the party to be cautious and secret, for should such a correspondence, he observed, once get wind, it would be highly resented by the generality of the nation.

Conversation
between
Cottington
and Panzani.

Things being agreed on, the two secretaries laid aside their private views, and, apparently well pleased with the choice of Brett, went heartily into the cause. Panzani had frequent conferences with Cottington on the principal design of the correspondence. Happening to discourse on the re-union, Panzani told him, “ it would not be amiss to level the way as “ they went on; and as surgeons cut away all “ the dead flesh before they can pretend to “ heal a wound, so the miscarriages of Henry “ VIII. when he first made the breach, were “ to be looked into, and his motives weighed.” — “ I beg of you, said Cottington, never let “ us mention the scandals and calamities of “ those

“ those times, of which all thinking men still
“ retain a fresh idea. I only wish that the
“ king could be fully convinced, that the
“ see of Rome has a real affection for him.
“ I do indeed,” continues Cottington, “ ob-
“ serve a great alteration in the enemies of
“ the church of Rome. Formerly the word
“ Rome could not be pronounced without
“ horror and detestation: but now we are
“ grown more mannerly. On the other hand,
“ I believe, the advice would not be unfea-
“ sonable, that his holiness should be reminded
“ to give special instructions to his nuncios
“ and agents abroad to be more complaisant
“ to the Protestant embassadors in foreign
“ courts.”—Panzani replied, “ That it would
“ certainly be more edifying if old grudges
“ and animosities were laid aside by all par-
“ ties; adding that, if once the English go-
“ vernment would shew itself good-humoured
“ to the Roman Catholics, Rome would not
“ be wanting in making a suitable return to
“ them and all other Protestant powers. But
“ why, said he, should his holiness’s agents
“ care for Protestant embassadors, while the poor
“ English Catholics are harassed, and punished
“ even with death on the score of religion ?”
— This discourse gave Panzani an oppor-
tunity of mentioning the insolence of in-
formers, pursuivants, &c. who lived on the
calamities of the Catholics. Cottington pro-
mised

mised to use his endeavours to prevent the evil in future.

It was not long before notice was given to the court of Rome, that Mr. Brett was to be sent thither as agent. That court was not a little pleased, that the English had made the first advances, and on their side, immediately consulted to discover a proper person to send into England. In relation to these matters, Barberini wrote the following letter to Panzani, dated December 10, 1635.

Barberini
writes to the
latter.

“ Our prayers are redoubled ; and I have
 “ made a religious visit to the seven churches
 “ to obtain by my poor prayers what, I have
 “ reason to fear, my sins have otherwise made
 “ me unworthy of. However, *if I forget thee,*
 “ *let my right hand be forgotten : let my tongue cleave*
 “ *to the roof of my mouth, if I prefer not Britain*
 “ *above my chief joy.* — I cannot pass over in
 “ silence the concern I feel, on account of
 “ that question of Mr. Cottington. Does his
 “ holiness love the king, he said? Love him!
 “ Yes, he loves him with a personal affection,
 “ equal to that he bears his nephew, not only
 “ as he is pope and a common father, but he
 “ loves him as he is Urban. This love is of an
 “ ancient date, and, as it were, hereditary,
 “ as his majesty’s grandmother, queen Mary
 “ of Scotland, was once a witness. I daily
 “ see

“ see manifest tokens of the good inclinations
“ of his holiness towards his Britannic majesty :
“ he expresses not in words only, but with tears,
“ how much he desires to renew the same good
“ understanding which his predecessors, for so
“ many ages, maintained with the Roman see.
“ I constantly impart to him the contents of our
“ letters; and he as often embraces his majesty
“ at a distance.—I very much approve the ob-
“ servation you made, that his holiness’s nun-
“ cios do well to be reserved, while other
“ ministers give no tokens of good temper. I
“ desire you will study an opportunity to ac-
“ quaint her majesty, what a satisfaction and
“ honour it is to me to be remembered on
“ account of the trifles I sent her: return also
“ to her the acknowledgments of his holiness
“ for becoming a guardian of the spiritual bles-
“ sings of the poor Catholics. St. Urban
“ desired nothing more of St. Cecily than the
“ conversion of Valerian her husband. This
“ is all the present pope expects from her Bri-
“ tannic majesty. It is a comfort to me to be
“ regarded by her, and no less to be the protec-
“ tor of so fair a kingdom. That country of
“ late is much beloved in Rome: Men of
“ distinction and even the populace are rejoiced,
“ when they hear of their welfare; and the
“ thoughts of their conversion transport all sorts
“ of people.”

About

Persons
proposed for
agents to
England,

About this time, Barberini wrote to Mazarin* at the French court, to advise with him about a proper agent for England. In his answer, Mazarin mentioned two persons, whom he judged well qualified. The first was count Ambrose Carpegna, (or Cartagena) neither French nor Spaniard by faction, but entirely disinterested; a man of a sweet obliging temper, a diligent observer, quick in dispatches, could speak handsomely, and was very much in favour with his holiness and his family. The other was George Conn, a Scotch clergyman, of a singular character for piety and learning, in both which respects he had been, many years, celebrated in Rome: he, besides, knew men and business well, and was a particular favourite with the queen of England. One objection against him was, that he had been intimate with Monsignor Ciampoli.—Nor did Mazarin omit to propose himself, saying that he would, to make England a visit, expose himself to the most dangerous tempest at sea. Indeed, the queen had a singular respect for Mazarin; and father Philip took some pains to procure his nomination. But the cardinal thought it not proper, as appears from a letter to Mazarin dated February 23, 1636, wherein

* I have not remarked, that this was the Mazarin, who soon became minister of state in France,

wherein he applauds his zeal, but adds :
 “ Would you have all the politicians of Europe
 “ leave their homes, and flock to London, to
 “ fish out what you had to do there? You
 “ would meet with a more dangerous storm at
 “ land, than you could experience at sea. No
 “ mischief would be hatched, of which Mazarin
 “ would not be accounted the author.”

Besides the candidates just mentioned, there then resided at London one Gregory Spada, nephew to cardinal Barberini; and this gentleman, though his visit to England was from curiosity, was advised to put in for the agency. But to give a greater name to the business, it was thought proper that a person should be purposely sent and directly from Rome. Barberini on this made no further demur, but fixed on Carpegna.

It had been customary, when such negotiations were opened with Rome, for crowned heads to demand a cardinal's hat for some favourite: and Barberini apprehending that this would now be done on the part of the queen, gave a caution to Panzani how to proceed, in case the petition were made. This was: “ That he
 “ should use his endeavours to wave all such
 “ matters, by signifying that the business they
 “ were engaged in being a general concern, the
 “ cases of particular persons, or their promo-
 “ tions

The cardinal's
 caution.

" tions were to be set aside for the present, lest,
 " by occasioning disgust in other candidates, the
 " grand affair of religion, which was the chief
 " object of the agency, might be obstructed.
 " He added that, in case such a petition were
 " intended, the queen should be acquainted,
 " that it was only usual for kings to be favoured
 " with such grants, when they had performed
 " some remarkable service for the church; so,
 " in the present case, the obtaining liberty of
 " conscience for the Catholics, &c. would be
 " deemed a sufficient inducement. In the
 " conclusion, he desires Panzani to be careful
 " never to drop any thing, that might put
 " the queen on making such a proposal."

The king's
 instructions to
 Mr. Brett.

Mr. Brett was now preparing for his journey to Rome, when the king, having some private instructions to give him, desired to communicate them to him in person. What his majesty charged him with was: The restitution of the Palatinate; a match between the king of Poland and one of the Palatine's daughters; and the form of an oath for the English Roman Catholics. If he proved successful in any of these points, the king engaged, that a Roman Catholic bishop should be permitted to reside in England.

The elector himself, at this time, arrived in London. Besides the restitution of his dominions

dominions which he earnestly recommended to the king, he moved for the match just mentioned. The two secretaries held frequent conferences with Panzani on the subject; and they promised for the elector that, in case the match could be brought about, his highness was willing that liberty of conscience should be granted to the Roman Catholics through the whole palatinate. Panzani insisted, that the princess should first declare herself a Roman Catholic; but this was not agreed to. Barberini thus writes to Panzani on the subject.

“ Nature inclines us to have a singular
 “ compassion for the children of the elector
 “ Palatine, reduced, without their fault, to a
 “ very deplorable state. The nobleness of
 “ their extraction moves me to do all I can in
 “ their favour, and the more, because their
 “ family before its defection from the church,
 “ was always tied by uncommon bonds to the
 “ see of Rome. As to temporal happiness,
 “ they are in a desperate condition; and they
 “ are a great object of pity as to their spiritual
 “ felicity, being, by the Calvinian heresy, dis-
 “ united from the center of unity. In the
 “ present juncture it ought to be considered,
 “ that the pope who presides in the church,
 “ not by inheritance, but by divine appoint-
 “ ment, should not depart from the customary
 “ methods of his predecessors, nor from what
 “ the

Barberini's
 sentiments re-
 specting the
 family of the
 elector Pala-
 tine.

“ the councils and fathers direct in such cases.
 “ Now it was never the practice, even at the
 “ instance of emperors and whole nations, to
 “ admit of a division of the church of God.
 “ The discipline of the church will not allow
 “ of such compositions : otherwise, (and I take
 “ a pride in saying it,) nothing would sooner
 “ move me to divest myself of all worldly
 “ advantages, that I might purchase ease to
 “ that unfortunate family. As I love to be
 “ sincere and grateful, so I am ready to make
 “ any return for the favours imparted to me
 “ by that illustrious house ; though I see, at
 “ the same time, nothing that should make
 “ them stand out, and refuse to comply with
 “ what is expected from them. I will con-
 “ clude with assuring you, that the nuncio
 “ who resides at the Imperial court never yet
 “ declared himself, on the subject of restoring
 “ the Palatinate. He only signified, that
 “ regard ought to be had to religion when it
 “ was restored ; and that an absolute and
 “ unconditional restitution would very much
 “ prejudice the Catholic interest. I cannot
 “ forbear putting you in mind, that liberty of
 “ conscience is a new system among the people
 “ of Germany, who usually change their
 “ religion with their masters. And the
 “ observation is still more pertinent in regard
 “ of the Palatinate, who once were Lutherans,
 “ and have since become Calvinists, a sect not
 “ much

“ much admired in those parts, nor ever
 “ before embraced by any of the states of the
 “ empire.”

It was not long before the king of Poland* sent an ambassador into England to set on foot this treaty of marriage, in which he was governed by the measures taken at Rome. By way of preliminary, he proposed at his first audience, that the princess should become a Roman Catholic. His Britannic majesty was so much displeased at the proposal, that he told the ambassador, he looked on himself to be neither Turk, nor a Jew, but a Christian who lived in a commendable religion.—The ambassador was then introduced to the queen, and abbé du Perron was assigned his interpreter. Having opened some private commissions to her concerning the English Catholics, he pressed her majesty to use her interest, that the elector's daughter might become a member of the church of Rome. To this she willingly consented, telling him, at the same time, that it was a point not to be insisted on, for it was her opinion it would not be granted. The king, soon after, learned from du Perron all the particulars of this conference, on which he very

Difficulties in
 the proposed
 match.

* Ladislaus Sigismund.

pertinently observed, that the case was the same with himself, who never demanded that the queen should become a Protestant, when he treated about his match with the court of France.—And indeed, the generality of the Catholics blamed the embassador for making that article a preliminary. Windebank also told Panzani in private, that he was well assured that, neither the pope, France, Spain, or even the Poles themselves had any opinion of that match; so that Mr. Brett was not likely to succeed in that part of his commission.

Mr. Brett's
death and
other obstacles
to the agency.

Providence, besides, so ordered things, that the business of the reciprocal agency was very much retarded, and almost brought to nothing. Arthur Brett had put to sea, and was on his journey towards Rome, when, a tempest driving him back, he was seized with a fever, and died. This event kept the other agent, count Cartegna, at Rome: and, about the same time, a great inundation happening at Ravenna, the pope deputed the bishop of Camerino and count Cartegna to examine into that unfortunate accident, and to provide for the necessities of the many thousands who had suffered by it.—New agents, therefore, were to be provided on both sides.

Mr.

Mr. Montague, as I before observed, was advised by the king, on his becoming a Roman Catholic, to absent himself for a while; during which time he again visited Rome, where his holiness received him with extraordinary marks of affection. Barberini, in like manner, loaded him with civilities. His birth, qualifications, and the queen's letter of recommendation were advantageous circumstances. A noble apartment was allotted him in the chancellor's palace; and had not Mr. Montague's modesty prevented it, many other unusual civilities were designed him. It was in this journey, that he publicly received the sacrament of confirmation, the cardinal standing godfather at the ceremony. After some time, he took occasion to open a private commission from the queen, which was recommended to the care of the cardinal. It was: To obtain a cardinal's hat for Mr. Conn. — Mr. Robert Douglas had formerly intimated the same thing to the court of Rome, in the queen's name. Mr. Conn, by the strength of her majesty's recommendation, had already obtained a rich canonry in St. John's of Lateran. He was also in election for the secretaryship of the secret Briefs, on the demise of Monsignor Francesco Ervera; but Monsignor Julio Rospigliosi stepped in before him. Besides, he was secretary of the congregation of Rites, a domestic of the cardinal of St. Onuphrio and his principal favourite.

Mr Montague endeavours to obtain a cardinal's hat for Mr. Conn.

It was much noticed at Rome, that a person of Mr. Conn's modesty and virtue should lie under a sensible disturbance, at being disappointed in the way of preferment. However he sank not in his character on that account. The world is willing to give allowances to conscious merit, as well as to indifference on such occasions. But to return to the affair of the cardinal's hat.

Barberini observed to Mr. Montague, that it was a thing of great importance, and was not to be pressed too hard in the beginning: yet he testified his entire respect for the queen, the opinion he entertained of Mr. Conn's merit, and how disposed he was to oblige them both in that, or any other way. Still he kept himself clear from any promise or engagement. And that Mr. Montague might press the subject less, he insinuated that Mr. Conn would be a proper person for the episcopal dignity, and to be sent with that character to England.—Mr. Montague judging of the tendency of this suggestion, observed to his eminence, that he had recently received an express from the queen, in which she insisted earnestly on Mr. Conn's promotion to the purple. — Barberini still strove to wave the discourse, adding only, that her majesty should have a satisfactory answer; but that the thing was of such a nature, that it required a great deal of time

time and reflection to bring it to maturity. In the conclusion he signified, that Mr. Conn would also be a fit person to take count Carpegna's place in the agency of England.—Here Mr. Montague took the liberty to complain of Panzani's politics, saying, that he was sent into England purposely to obstruct Mr. Conn's promotion.—Barberini perceiving, that he was not thoroughly acquainted with Panzani's commission, endeavoured to set Mr. Montague right, assuring him that he went over chiefly to inform himself of the differences between the clergy and the regulars, and to make up those breaches which were become almost scandalous; but, at the same time, he was incidentally to offer his services to the queen, in the pope and cardinal's name, as any occasion should offer. What he had done in Mr. Conn's affair, he said, was by virtue of a private commission, and in which he was no further concerned, than in making a bare enquiry how the queen stood affected in regard to that promotion.

Two days after, Mr. Montague made another visit to the cardinal, when he again insisted on the same petition. Barberini still observed the same caution, assuring him, that his holiness would not engage himself; but that nothing should be omitted to make the queen entire mistress of her desires. He added, that

it was not customary with the Roman court to make any such promises, not even at the request of nephews; because promotions to the purple were never made but on the nicest scrutiny, whether it would be for the general benefit of the church, and whether it was suitable to established rules. This method Urban invariably proposed to himself. He joined a reflection formerly made, viz. That, in case his holiness should be disposed to promote Mr. Conn, it must not pass upon the world as a compliment paid to the queen, it being never known, that queens, without some other prevailing inducement, were favoured in that manner. — Mr. Montague, finding he could gain no ground, was obliged to content himself with bare hopes, which even the cardinal would no further agree to, than on the considerations mentioned. However, to put the queen in a way of accomplishing her desires, Barberini suggested, that a great step towards it would be to expedite the agency: and should Mr. Conn undertake that office in lieu of the count, and his behaviour in England give content to the holy see, it would be a means of arriving at a cardinal's hat. The protector concluded with a discourse concerning the issue of all these projects, which he apprehended were not very promising, considering the king's behaviour to the Roman Catholics: and in particular he mentioned
his

his breaking into the articles of marriage between France and England; the sending away many of the queen's chaplains; the punishing of Catholics by pecuniary mulcts, contrary to promise; and suffering informers and pursuivants to range through the kingdom, and act almost at discretion. — Mr. Montague undertook to make an apology for the king, saying, that the French, on concluding a peace, were themselves willing to give up some of the articles relating to religion, and that other matters were in the way of being redressed.

Mr. Montague having now gone as far as he could in his commission, prepared to leave Rome full of hopes, and loaded with civilities. To the queen he brought a letter written by his holiness's own hand, in answer to one she had sent to him by the same messenger. She placed a great value on it, often reading it over; and as often kissing it in token of the great respect she had for the see of Rome, but especially for him who then filled St. Peter's chair. The account Mr. Montague gave of his reception at Rome caused her a singular delight; and her joy was increased when she daily heard, that all the English who went thither were treated in the same manner, respectively to their characters. — These extraordinary civilities to the British nation were a common

Returns to the
English court.

common subject of conversation at court. Both the king and the nobility were pleased with it. Among others, the bishop of Lincoln (whose nephew had been kindly entertained at Rome, and shared plentifully of Urban's favours) declared publicly, that cardinal Barberini had done more to reclaim the northern kingdoms by his civilities, than cardinal Bellarmine had ever done by his writings.

I cannot here omit an incident relating to the subject of these times. — One day, the queen, speaking of pope Urban to his majesty, said, that he was nuncio at the court of France at the time of her birth; and that, being ordered to wait on her mother, and congratulate with her on the occasion, by way of compliment, he said, he hoped the time would come, when that little princess would be a great queen. The queen-mother smartly replied: “ And that will come to pass, when “ you are a great pope.”—King Charles made this observation: “ It is manifest to all the “ world, that both these things have proved “ true. I always looked on our queen- “ mother to be a great princess; but for “ the future I must regard her as a pro- “ phetess.”

I will

I will dismiss this matter relating to Conn's promotion to the purple, having first observed, that it was no less the king's than the queen's desire; for his majesty had entertained a notion, that to have a cardinal his friend at the Roman court would be very much for his interest; and Mr. Conn was a person in whom he could confide. This it was that kept the queen's hopes alive, and encouraged her not to desist,

We are now to consider how Panzani proceeded in the principal article of his commission, viz. in reconciling the clergy and regulars. He took great pains to effect it; and after frequent meetings and consultations, an agreement was concluded between the parties, the Jesuits only refusing to come in, and join the rest. The following paper gives some idea in what manner they went on.

The Clergy
and Regulars
are reconciled.

*The Instrument of Peace or Concord between
the Secular Clergy and the Regulars.**

Because the common good of religion ought principally to be regarded by those who labour in the Lord's vineyard, and that good may be promoted with most ease

* Dodd, p. 132.

ease and success, when the labourers are united by one common principle; therefore, under the direction of the holy spirit, as we presume to hope, the secular clergy of England, on the one side, with the fathers Benedictins, Franciscans, Dominicans, and Carmelites, on the other, have resolved to settle a form of union amongst themselves adapted to this end, leaving their respective rights and privileges untouched. And that nothing may obstruct the progress of this desirable concern, it is first resolved, that all former feuds and differences be now closed; and the parties mutually promise to bury their animosities, and to abstain from all recrimination. Wherefore, on this present day, the 17th day of November, an. 1635, being met in London, on behalf and in the name of the R. R. Bishop of Chalcedon and of the secular clergy, the underwritten N. N. N. and on behalf and in the name of the fath^{rs} Benedictins, &c. the underwritten N. N. N. the same approved the following form of union, intended to endure till the Lord shall restore to these kingdoms the free practice of the Roman Catholic Religion.

The parties mutually promise, that they will unanimously attend to the common concerns of religion, and will aid one another, as often as it may be wanted; nor will they, as far as depends on themselves, suffer his holiness to be imposed on by false representations, or the honour and government of his majesty to be disturbed. To this end, it is, therefore, resolved, that, at least every quarter, and as often besides as may be occasion, deputies from both sides shall meet for the purpose of deliberation.

But

But as his holiness has deputed hither the Rev. Gregory Panzani, 'it is our desire that he be requested to meet our deputies, in order that our reconciliation be made more firm and solemn. And if the members of other orders be disposed to join our union, we admit them to it.

The deputies then signed three copies of this instrument, one to be delivered to the clergy, a second to the above regulars, and a third to Panzani, that he might make a report of it to Rome.

When the parties concerned were met to sign the articles of agreement, one father Roberts, a Jesuit, desired to be admitted. His business was to expostulate with them, why Panzani was called to the assembly? He was answered, that Panzani was not present at their conferences, but was in a room near at hand, that he might be ready to confirm the agreement, and congratulate with them on the happy conclusion of their differences. He was assured, moreover, how agreeable it would be to them all, if he or any other, in the name of the Jesuits, would appear and subscribe as the other deputies did, adding, that there was a blank left in the writing for that purpose. Father Roberts was far from being satisfied, though they acquainted him with every particular. He even exposed the meeting, representing it as a conspiracy against their society. — Panzani
having

The Jesuits
only stand out.

having notice that father Roberts was present, took some pains to set him right, assuring him, almost with tears in his eyes, that the only object of their meeting was peace and harmony; and he hoped the Jesuits would not stand off, but convince the world, by signing the articles of agreement, that they were studious of peace, and had an equal regard with others for the good of the mission. The deputies also earnestly begged for their compliance; but to no purpose. Roberts would not depart a tittle from his resolution, though he seemed willing that the result of the conference should be communicated to his order.

Panzani, on the first meeting of the deputies, demurred whether he should appear amongst them, lest his presence might seem to favour the bishop of Chalcedon's pretensions, whose case was not yet decided at Rome. But being assured that the bishop's name was no otherwise mentioned, than as he was an eminent member of the clergy body, he hesitated no longer.—Soon after this, Panzani made it his business to find out Richard Blond, provincial of the Jesuits, whom he pressed very hard to join the other orders.* But he declined it, which

* Dodd, p. 134, *Ep. Greg. Panzani*.

which so irritated the deputies, that they advised Panzani to importune him no longer, for that it made him put too great a value on his concurrence.

The secretaries, understanding the agreement amongst the missionaries was not likely to be universal, felt a sensible trouble, as did all others who were favourers of the projects then on foot.

Blond, perceiving that his standing off displeased the generality of the Catholics, condescended so far as to sign a letter which gave an assurance of maintaining a friendly correspondence with the other missionaries: but as to the articles of agreement, he said, they were liable to several exceptions. The letter, by his order, was communicated to the deputies; and they, in return, sent him a copy of their agreement, and, at the same time, desired, he would meet them, in order to remove the difficulties he apprehended.—Panzani, meanwhile, renewed his protestations of impartiality, declaring that his only view was a lasting peace amongst them. He assured the Jesuits, they had nothing to fear from the bishop of Chalcodon's being named with the rest; and that the other orders, equally jealous of their respective privileges, made no account of it.—

Father Blond's
conduct.

Father

Father Blond replied in a second letter* full of caution and reserve, viz. That his holiness having already by a Brief, beginning *Britannia*, dated May 9, 1631, given express orders, that all controversies between the clergy and regulars should be suppressed and silenced, it was more adviseable to stick to the letter of those orders, and to submit to them, than, by meetings and proposing articles of agreement, to raise grounds for new disputes. He, therefore, judged it inconvenient to enter upon any new projects, whence difficulties would certainly arise.

Gives offence.

This second letter of the provincial drew from some of the clergy a very sharp reply, in the nature of a manifesto. It represented the letter as a piece entirely made up of equivocation, artifice, and design.† — When the substance of this answer was communicated to Barberini, he charged Panzani to have it suppressed, apprehending it would occasion a reply

* Dodd, p. 135, *Ep. Ric. Blond*.

† See in Dodd, p. 153, another letter from Blond, more artful and evasive than the former, in which, speaking of the clergy, he says that “the *vain splendour of the hierarchy* had “drawn a veil before their minds;” and the *apostolic see* he terms the parent of all churches and the *source of the whole ecclesiastical order*. — It mattered not, that such expressions as these had often raised universal indignation, and been formally censured.

reply from the Jesuits, and so renew the war. He, at the same time, acquainted Panzani, that the court of Rome had neither declared itself for, or against, the articles of agreement, because the bishop of Chalcedon's name was registered with those of the deputies, from which some might conjecture, that his pretensions were admitted at Rome, where as yet the case was undecided. But then he observed, that father Blond's letter was so full of caution and seeming artifice, that it afforded matter of speculation, and left room for the world to make their comments. He added, it was his opinion, that, if the Jesuits had not thought it convenient to have returned a candid answer to what was proposed, they ought, in a few words, to have declared, they would move in that affair as the Roman see should direct, a method which, on all occasions, they seemed prepared to embrace.

This backwardness of the Jesuits to come into the agreement was not easily digested by the clergy, and the regulars who promoted it. And it was considered as an aggravating circumstance, that the provincial would not treat in person with Panzani, but constantly sent father Roberts. In one of their conferences, Roberts was commissioned by his body to assure Panzani, that the Jesuits never had opposed the bishop of Chalcedon, and that all
the

the opposition had been from the laity. This declaration was not unacceptable to Panzani, because it discovered a disposition towards peace, and it gave him an opportunity of demonstrating to them, that the episcopal character was not intended to prejudice their privileges, but to strengthen them, and protect them in the execution. Yet he omitted not still to press their conforming to the agreement, which Roberts as constantly refused, alledging the provincial's reason, that it was sufficient to observe the injunctions of his holiness, which forbade them entering into any controversies with the clergy.

The report of this agreement was now made public, both at home and abroad; and the Jesuits every where gave out that it was a design against their order. Panzani, by his diligence, discovered that they were tampering with the religious of other orders to prevail on them to protest against it, and to withdraw their signatures. This was also visible by the extraordinary encomiums, they of late bestowed on father Preston, the learned Benedictin, who began to exclaim against the agreement, to which before he had consented. They had moreover made secretary Cottington believe, that the whole was a contrivance of Panzani, and a prelude for settling a bishop amongst them. Panzani was at some pains to set Cottington right in this matter; which

which he did to his satisfaction. He declared sincerely that he never moved one step in it, till the parties concerned had drawn up the articles; and that then it became his duty to exhort the Jesuits to come into the union, for, by that means, they might with more ease put an end to all the differences between them and the clergy, relating to the bishop, chapter, &c.

During these transactions, Barberini renewed his orders to Panzani for suppressing the clergy's manifesto, with which he charged him in a very pressing manner, exhorting him at the same time, to find out some way to create a good understanding with the Jesuits.—This being signified to the clergy; they met, and returned this answer in substance to Panzani: That they were sorry the manifesto had ever been made public; but they thought the Jesuits were very unaccountable in their behaviour, having spread it abroad every where, that the whole design of the agreement was levelled against their body: That, as for coming to a good understanding with them, it was what they earnestly desired and sought for; but there were so many obstacles on the Jesuits side, that it appeared almost impracticable: That they visibly affected superiority; would not treat upon a level; and seemed disposed to frustrate every thing, unless it were a scheme of their own: That their management spoke indifferency as to restoring religion in

P
England,

The clergy
shew their
desire of
peace.

England, unless it were effected by their means; and in consequence of this, their common discourse was, that it could never be brought about but by force of arms.—Panzani writing to the cardinal observes, that this temper of the Jesuits might, perhaps, be the reason why father Smith, a person of note of their order, moved so slowly in getting the order to the pursuivants superseded; a thing he had undertaken, and was thought capable of effecting.

The clergy, to convince the world of their sincerity, deputed three of their body to treat with the Jesuits, viz. Mr. Blackloe, Mr. Musket, and Mr. Lovel, whose design was to lay the foundation of a further correspondence. “ And
 “ now, says Panzani to the cardinal, I expect
 “ to know the Jesuits resolution. I appear
 “ very stirring on this occasion, that I may not
 “ be said to have omitted any thing, though,
 “ indeed, I conceive small hopes of success.
 “ It is and shall be my method so to conduct
 “ myself with the Jesuits, that they may have no
 “ matter of complaint, or that I have used any
 “ violence to bring them to a compliance with
 “ the rest of the priests. The greatest part of
 “ them are willing to come into the agreement;
 “ and I have acknowledged the favour as done
 “ to myself. But I cannot tell what to say to
 “ the Provincial. His words tend that way,
 “ but his actions speak the contrary.”

As

Panzani and
the Provincial
meet.

As for the rest of the regulars, they stuck firm to the agreement, publicly owning they had nothing to object against the clergy, for endeavouring to procure a bishop, it not appearing that there was any design to infringe their privileges. Their firmness, at last, worked on the provincial so much, that he consented to an interview with Panzani, and signified to him his willingness to come into the agreement. Panzani, to keep him tight to the point, drew up an instrument which he desired him to sign; on which the provincial appealed to his letter, telling him it was a sufficient approbation of what was transacted among the deputies. Panzani then acquainted him, it was expected that he should sign the declaration contained in the following clause: *We did not impede the bishop of Chalcedon, nor hereafter will we be an impediment to any one, that he may not freely exercise that power which he shall have received from the apostolic see.* The provincial agreed that the clause should be inserted in his letter, and Panzani appeared satisfied: and that the union might be more lasting, he desired him to depute one of his body to confer with the clergy, whether they had any further demands? On this he demurred: he first would see in writing what their demands were. Thus they parted. The clergy's manifesto still remained on the provincial's stomach, and he threatened to have the author excommunicated, unless he made a

public acknowledgment of the injury offered to his society. Panzani, at parting, told him he would take care it should be declared a scandalous writing. The provincial was satisfied.

Behaviour of
the Roman
court.

All this while, the court of Rome was silent on the subject of the agreement, neither declaring for it, nor against it, which occasioned the Jesuits to report every where, that it was ridiculed at Rome, and treated as an officious piece of management of no weight or consequence. On this father Price, a Benedictin monk, Franciscus a Sancta Clara, a Franciscan friar, in the name of the associated regulars, and Dr. Leyburn, in the name of the clergy, complained loudly to Panzani, that such reports very much reflected on himself and all the parties concerned. They further said, that it was now pretty plain, what power the Jesuits had at Rome, since they were able to overthrow a design of that nature, where nothing was intended but an entire submission to the court of Rome, in the general petition for a bishop. To this they added, that Rome's not approving the agreement was a kind of tacit condemnation: that the Jesuits' reports were too much hearkened to: that many were induced to form a judgment of the agreement by the manifesto, which was only a private paper, and now recalled; but why, they asked, should it be a greater

greater crime to oppose the Jesuits by a manifesto, than to write against a bishop? Or was there not a great difference between a Jesuit and the episcopal order, as to their origin, institution, and respect due to them?

These and such like were the complaints to Panzani, and they pressed him earnestly to represent their case to his holiness by the means of the protector.—Panzani would make no promise, telling them they had their respective agents at Rome to represent matters: and as to the Jesuits, he twitted their associates, as if they wounded the Roman court through their sides; for by suggesting partial proceedings, they seemed to question, whether his holiness was a common father, equally favouring all parties; and he was confident, he said, the same justice was due to cardinal Barberini.—The deputies, unable to obtain a promise from Panzani that he would write, in their behalf, to the cardinal, were satisfied to rely on his prudence and management, which proved agreeable to their wishes, for soon after he wrote him the following letter.

“ I have little to say, only that the Jesuits,
 “ upon all occasions, ridicule the agreement.
 “ It is father Philip’s opinion, as well as of
 “ many others, that the silence of Rome, on
 “ that account, is declaring in favour of the
 P 3 “ Jesuits.

Panzani ex-
 stulates with
 the cardinal,
 and mentions
 other matters.

“ Jesuits. The judicious persons of this nation
 “ esteem the agreement to be an entire extinc-
 “ tion of all the great feuds between the clergy
 “ and Benedictins; and are of opinion it
 “ would be prudent in your court expressly to
 “ approve of what they have done. Father
 “ Philip also informs me, that the Jesuits,
 “ besides spreading abroad that his holiness will
 “ not confirm the agreement, have divulged
 “ the reasons of that caution, namely, because
 “ *they* are not mentioned as a party, and the
 “ bishop of Chalcedon is introduced; whereas,
 “ says he, it is not likely that his holiness de-
 “ signs to make the domestic interest of the Je-
 “ suits his only rule, and as to the bishop, he
 “ acted not in the agreement, by the strength
 “ of his character, but only as a clergyman of
 “ distinction, and a superior by way of interim,
 “ The clergy stand not upon their pretensions
 “ as to the bishop, nor is there any occasion to
 “ disgust them by rejecting a pacific treaty so
 “ much applauded by all intelligent persons,
 “ catholics as well as protestants, who are well
 “ affected to the catholic interest. However,
 “ I am ready to obey your eminence’s orders.
 “ —There is another thing I cannot conceal
 “ from you. Mr. Bennet* is by many styled
 “ vicar-general.

* He was dean of the Chapter on the death of Mr. Colleton.

“ vicar-general. I am confident such a title
“ will not be allowed him at Rome, as the
“ controversy stands between the bishop of
“ Chalcedon and the regulars. On every side
“ I see nothing but the seeds of discord. If I
“ may take the liberty to speak my thoughts in
“ reference to these matters—would it not be
“ adviseable to mention a remedy formerly
“ proposed, viz. to confirm the chapter’s au-
“ thority; for so they might chuse themselves
“ a vicar, and the apostolic see afterwards con-
“ firm the choice. By this means, districts
“ might be appointed in the nature of parishes,
“ and a regulation established for the good of
“ the mission. The chapter claims now a
“ power over the clergy; but the Jesuits make
“ no account of it. Indeed, the other regu-
“ lars, and particularly the Benedictins, treat
“ with the chapter as if with a body in power,
“ and seem to concur willingly towards ob-
“ taining a bishop. Yet, after all, I am at a
“ loss how to proceed. The clergy are con-
“ tinually interrupting me with complaints,
“ the substance whereof is, that the Jesuits are
“ countenanced in all they say or write, and
“ by their ample privileges run away with the
“ credit of the mission; but that they, for
“ their part, languish under all sorts of dis-
“ couragement, and that their tongues, pens,
“ ears, and eyes are all useless to them, when
“ they desire to be heard at Rome. I endea-
“ your

“ your to sweeten every thing, and assure them
 “ of your eminence’s impartial temper: but
 “ they still complain.”

The cardinal
 replies.

In a letter to Panzani, dated July 31, 1636, the cardinal strives to give content on these subjects of complaint. He says, “ That the
 “ associated clergy and regulars had no occa-
 “ sion to be so uneasy, or to consider their
 “ agreement as not allowed of at Rome, be-
 “ cause there was no express approbation of it;
 “ that they ought to attend to the maxim of
 “ the law, *qui tacet, consentiri videtur*; that, besides,
 “ it was not usual with the court of Rome to
 “ make such open declarations; that they had
 “ many persons to deal with of different hu-
 “ mours and inclinations, and must proceed
 “ with caution, not to give provocation; that
 “ it was prudent not to take notice, or appear
 “ disturbed at what the Jesuits say in favour of
 “ themselves, they being a party concerned;
 “ but as for that particular of the agreement
 “ being ridiculed at Rome, it was all fiction
 “ and without ground.—He then advises them
 “ to cease from all complaints, and not to use
 “ any stratagem or artifice to obtain their ends,
 “ which would only occasion new disturbances,
 “ and never prevail on the court of Rome.
 “ And of this kind he mentions the taking in
 “ the bishop of Chalcedon, as a superior *pro*
 “ *interim*. As to Mr. Bennet’s being chosen
 “ dean

“ dean of the chapter, and styled vicar-general,
 “ that affair, he observes, should sleep, till an
 “ agent were sent to reside with the queen,
 “ who should have proper instructions. Pan-
 “ zani is then cautioned to let nothing, in the
 “ mean time, drop from him, as if Mr. Bennet’s
 “ character were confirmed.”

I must now resume the account of the reciprocal agency between his holiness and the queen of England. — On the death of Arthur Brett, who was designed for that employment, their majesties consulted about supplying his place. There was about court one William Hamilton, a zealous Catholic, brother to Lord Abercorn, a young gentleman of about 25 years of age, nobly descended, and allied to the royal family. His figure was fine; and in conversation he was agreeable and witty. This person, by their majesties joint consent, was appointed to go to Rome; and Panzani was ordered to signify the same to the parties concerned, and, at the same time, to say, that Mr. George Conn would be the other agent.

Mr. Hamilton
and Mr. Conn
named agents.

The latter choice was not very agreeable to several of the English, who would have been better pleased with an Italian agent. They apprehended something might be carried on to the prejudice of the English nation, while two Scotchmen were employed. And we may reasonably

reasonably suppose, it did not go down with an English stomach to see their own countrymen postponed. But the king declared himself fully satisfied with the choice of Mr. Conn, for whom he had a personal kindness, on account of his general good character from all the English gentlemen who travelled to Rome, to whom he shewed himself a common friend upon every emergency. Again the king had retained a good impression of him, for some years past, from what happened in France; and it is well known, his majesty is altogether immoveable in his affection and aversion. Mr. Conn had been serviceable in expediting the English ambassador's entry at Paris, before the pope's legate had his audience, which saved the crown of England a considerable sum of money, at the marriage ceremony with France. Indeed, Mr. Conn was a person excellently qualified for the office to which he was appointed. He was graceful in his person, of a fit age, affable in conversation, well acquainted with the methods of courts, and from his youth instructed in the Italian ways. Besides, to complete his character, he was of strict morals and unblemished reputation. The queen, in like manner, was well pleased with the choice; nor was the appointment disagreeable to Mr. Conn himself.

Things

Things being thus settled, Mr. Hamilton, before he left London, took care to inform himself of the state of the missionaries in England, that he might be prepared to answer all interrogatories at Rome. The Jesuits, observing him to be very prying and inquisitive, complained to the queen's confessor, that an agent was made choice of to misrepresent them; and it was no otherwise than what Mr. Brett had communicated to them as a secret, before he died, that things would be so with them. Father Philip assured them of the contrary, observing that such surmises reflected on their majesties, as well as on the memory of Mr. Brett.

The Jesuits particularly are dissatisfied with the agency.

They that were acquainted with this agency between Rome and England, judged it would not be very pleasing to several foreign princes, for, should they unite, it would be the means, they knew, of strengthening the interest of England. The court of Rome would naturally favour a nation once so dear to them, and now reconciled like the prodigal son. But Urban had other views. His chief concern was the nation's happiness as to religion, remitting interest and politics to the usual direction of Providence.

The resident of Spain was one of those timid speculators. He, one day, accosted Dr. Leyburn, one of the queen's chaplains, telling him, with a very suspicious countenance, that,
in

in a little time, we should see Signor Conn make his entry into London, in order to reconcile the nation to the Roman See.—The Jesuits were still more open in their reflections. As they apprehended the consequences of the agency, so they made it their business to discredit it, and acted so imprudently, that the measure became public, and occasioned great jealousies in the puritanical party. Also, by a refined kind of policy, they endeavoured to make several believe, that both Conn and Hamilton were creatures of their society, which they hesitated not to insinuate even to Panzani, thinking, by this means, to create a jealousy in the king and queen, and so prevent the agency. Thus does Panzani write to the cardinal June 17, 1636: “ But providence rules all things; and, “ as your eminence observes, we must be prepared against such attacks. If the affair of “ the union should not succeed, I am content “ to grow grey in the drudgery towards accomplishing it. I will not make use of many “ words, but it appears to me that a mutual “ agency is the natural, and the only way, to “ promote it. It only remains that God touch “ with his omnipotent and merciful hand, the “ hearts of the king and of his principal ministers. I have not failed to acquaint the queen, “ that there is a rumour already abroad, that “ Mr. Conn comes over to reconcile the king. “ She immediately imparted it to his majesty, “ when

“ when he observed, that he was concerned at
 “ the malicious report; but shewed himself
 “ content that Mr. Conn should come over.”

Notwithstanding the caution which was used to keep these matters private, several persons, unconcerned, made strong conjectures, and often discoursed upon the faisibleness of an union; nor did they want plausible arguments to induce a belief that such a thing might be effected. The persons employed, therefore, often enjoined secrecy to one another, and were particularly cautious to keep all they could from the Jesuits. Windebank was most apprehensive of being discovered; wherefore, he admonished as well Panzani as the cardinal never to mention his name.

Among those that most suspected these proceedings was Mountague, bishop of Chichester, a person of remarkable learning and moderation.* This gentleman's curiosity led him so

The bishop
 of Chichester
 and Panzani
 confer.

* He had been impeached in the last reign before the House of Commons, for a work entitled *Appello Casarem*, wherein he had endeavoured to reconcile the two churches, and to alienate, it was said, the minds of the king and his subjects from the established religion of the country. But the king had been able to contrive that the impeachment should not be carried to the upper house. Mountague was severely attacked by many of the puritanical party, and as warmly defended by the friends to episcopacy and the regal supremacy.

far,

far, as to desire a private interview with Panzani. When they met, he immediately fell upon the project of an union, as if he had already been acquainted with the whole affair. He signified a great desire, that the breach between the two churches might be made up, and apprehended no danger from publishing the scheme, as things now stood. He said, he had frequently made it the subject of his most serious thoughts, and had diligently considered all the requisites of an union, adding, that he was satisfied both the archbishops, with the bishop of London and several others of the episcopal order, besides a great number of the learned inferior clergy, were prepared to fall in with the church of Rome as to a supremacy *purely spiritual*; and that there was no other method of ending controversies than by having recourse to some centre of ecclesiastical unity. That, for his own part, he knew no tenet of the church of Rome to which he was not willing to subscribe, unless it were the article of *Transubstantiation*, which word, he had reason to think, was invented by pope Innocent III. after the council of Lateran was risen. He owned, he had some scruples concerning communion in one kind; but as for particular points, he thought the best method would be to chuse moderate men deputies on both sides, to draw up the differences in as small a compass as they could, and confer about them. Such a congress, he thought, might be most conveniently held in France, not only

only because the French and English came nearest to one another both in doctrine and discipline, but because of the strict alliance and affinity between the two crowns, and the apt situation of the place. — Panzani modestly replied, that he did not know but his holiness might approve of the scheme he had laid, but he could say no more to it till the motion were made, either by the king, or by some of the chief of the ministry in his name. Bishop Montague was pleased with Panzani's reservedness and caution, and told him at parting, that he would take the first opportunity to discourse the primate on the subject; but insinuated that he was a cautious man, who would make no advances unless he were well protected.

This conference between bishop Montague and Panzani being transmitted to Rome, the Italians were extremely pleased with it; and it was a great subject of joy to understand that several of the Protestant bishops and clergy were ready to join with the universal church in the article of a spiritual supremacy, and to hearken to an accommodation as to particular matters. — Panzani, in return, was ordered to acquaint the bishop, what a value they had for him at Rome, and how much his learning and pacific dispositions were applauded, with an exhortation that he would continue the good work he had begun, and never cease till he had brought

The agent is directed to compliment the bishop.

brought that distracted nation back, and directed them into the paths of their ancestors. As for looking into particular controversies, or specifying the terms of communion, it was too soon to speak to those matters. At present, it would be most adviseable to dwell upon generals; and especially the Protestant bishops and clergy ought to examine the motives which first occasioned the breach with Rome, which being found human and unwarrantable, it would be their duty to come forward and sue for a reconciliation. Afterwards, particular points might be debated with some hopes of an accommodation, when there was a court of judicature established to pronounce upon them. They might assure themselves, the bishop of Rome would make no unreasonable demands, but content himself with the essentials of his primacy, and such privileges as were annexed to it *jure divino*.

And receives
other instruc-
tions.

Panzani is then directed by the cardinal to enquire into the characters of the Protestant bishops; for as they were to be employed in the projected scheme of union, it was requisite to be fully informed what sort of men they were, and how qualified as to learning, morals, religion, politics, &c. that those who were to treat with them, might know how to come at them by proper and suitable addresses. But he had a strict charge to be very cautious and
secret

secret in the enquiry. Above all things, Panzani was advised never to favour the discussion of particular points, the issue of such conferences being always fruitless. Besides, it was never the custom of the Catholic church to admit of such kind of disputes, till the fundamental point of a supreme judge were first settled, for then other matters would come in of course. And as there were many positive laws, or practices out of the limits of the *jus divinum*, which were disagreeable to the English nation, as it was in the power of the church to alter them, so they should meet with all the tenderness imaginable, and such mitigations as the cause would bear upon a fair representation. In a word, authority and doctrinal points were the two capital objects; and the first was to be determined before the other could be debated.

Having received these instructions from Rome, Panzani took the first opportunity to wait on bishop Montague. He omitted not to acquaint him how much he was admired in Italy on account of the many and excellent qualifications he was master of.—The bishop, who was not a little vain, relished the compliment, and returned it, as far as was convenient, upon his admirers. He repeated his former discourse concerning the union, adding that he was continually employed in disposing mens minds for it, both by words and writing, as often as he

Has another conference with Montague.

met with an opportunity. He then again mentioned the pope's supremacy, whose feet, he said, he was willing to kiss, and acknowledge himself to be one of his children. He added, that the archbishop of Canterbury was entirely of his sentiment, but with a great allay of fear and caution.* Then he renewed the proposal of appointing deputies on both sides.

Panzani replied, that he had orders not to touch upon particulars, nor give encouragement that there should be any relaxation on the Catholic side, as to the *credenda* or fundamentals of religion, observing, that the union designed was not only to be politic and ceremonial, but real and in *unitate fidei*, without any mixture of creeds.—The bishop assured him, that he aimed at a total union.

The truth is, Panzani was apprehensive the bishop still entertained some opinions inconsistent with the fundamentals of the Roman Catholic religion.

Montague

* Various are the opinions entertained of this unfortunate prelate, of whom, I believe, it is most true to say with the noble author of the *History of the Rebellion*, that “ his enemies, for want of another name, called him *Papist*, which no body believed him to be, and the contrary to which he had manifested in his disputations and writings.” “ But under this senseless appellation, he observes, they created him many troubles and vexations.” p. 89, 93.—That the hat of a cardinal was ever offered to him by Rome, I do not credit, though it has been confidently related. Athen. Oxon. vol. 2: p. 57.

Montague then having occasion to mention his character and priesthood said, he looked upon them as unquestionable.—Panzani judging this to be too intricate a point, and knowing what exceptions some learned men had made against it, would not deliver his opinion, but passed to another matter, which was to put the bishop in mind, how necessary it would be that the Protestants should make the motives of their defection from the church of Rome the subject of their first enquiry.—Thus they broke off the conference, with a mutual desire of having another interview.

From the whole, it was pretty plain that there was a great inclination in many of the eminent protestant clergy to re-unite themselves to the see of Rome; but they kept themselves to themselves, never imparting their minds to one another, much less to the king, for they imagined the spiritual supremacy was a prerogative he would not easily part with. It was, indeed, observed by some of the ministry, that when his majesty had occasion to mention pope Urban, or cardinal Barberini, he discovered an extraordinary affection for them; but his praises running mostly upon their personal qualifications, and generous behaviour to the English nation, they could form no judgment from the circumstance, only that it might be a remote disposition towards an union. Of

Q 2 the

the sentiments the great men of those times had of the matter, there was one instance. Dr. George Leyburn assured Panzani, *in verbo sacerdotis*, that the archbishop of Canterbury encouraged the duchess of Buckingham to remain contented, for, in a little time, she would see England re-united to the see of Rome.

Dissatisfac-
tion of
Windebank.

The discourse of this re-union at last became so public abroad, especially in Italy, that Windebank taxed Panzani with violating the rules of secrecy; but he justified himself, and gave him his word, that neither he nor the cardinal had departed the least from the assurances they had given in that respect; but he would not answer as much for several others who were willing to publish all they knew, that the scheme might prove ineffectual. He said that secretary Cook and others of the puritanical party daily instilled their suspicions into the people; nor was it in any man's power to bridle their tongues, who utter all they know, or even imagine, as they find it suitable to their interest, or agreeable to their humour or passion.—Windebank then inveighed bitterly against the Jesuits, that they, knowing how inclinable the court was to carry on a correspondence with Rome, should, at so critical a juncture, renew the ungrateful controversy about the oath of allegiance, exclaiming every where against it, and threatening to publish
books

books on the subject. Wherefore, he desired Panzani to remind them of their duty; and should they not desist, he knew of a way how to make them more prudent and public-spirited.—Panzani alledged several things in their excuse; but this would not pacify Windebank. “They are,” he said, “a restless and seditious set of people, to whom no man can give content, unless he will tamely submit, and suffer himself to be trampled under their feet.”—On this Panzani advised the provincial of the Jesuits to issue out his order to all his subjects, not to engage in the controversy about the oath of allegiance, either in word or writing, without express licence from the see of Rome, for that a contrary management would certainly irritate the king, and occasion a fresh quarrel with his holiness. He gave the same advice to the superiors of the other religious orders.

In relation to these matters, Barberini gave his thoughts in a letter to Panzani, dated May 8, 1636, which he concludes thus: “I beg you will make excuses where they are necessary; for I find there are some who have not a just regard to religion; who, either out of some domestic views, personal aversion to his holiness, or little affect on to my family, do take some pains that things may not succeed. And, indeed, nothing could redound more to the credit of my family, since it would be

Q 3

“ more

“ more agreeable to me, that such an union
 “ should be effected while I am at the head of
 “ affairs, than if the Barberinis, upon any other
 “ account, became masters of the whole king-
 “ dom. I am very well pleased at the manner
 “ of your treating with the embassadors of
 “ foreign courts.”

Third confer-
 ence with the
 bishop of
 Chichester.

It was not long before there was another interview between Panzani and the bishop of Chichester. Among other discourses, Montague said something relating to the correction of the calendar, owning that the Roman computation was much more exact; and he believed, the Protestants would easily be induced to adopt it. Then they began to mention persecution, especially what the Roman Catholics suffered in England. The bishop said, at that time they were not disturbed, though the pursuivants and other officers could not as yet be discharged, till the order for that purpose had gone through some formalities at court.—Panzani being curious to know the characters of the chief of the Protestant clergy; Montague told him, there were only three bishops that could be counted violently bent against the church of Rome, viz. Durham, Salisbury, and Exeter*; the rest, he said, were very moderate.—But Panzani received

* Morton, Davenant, and Hall.

ceived a particular character of each bishop from another hand. It gave an account of their age, family, way of life, qualifications natural and acquired, moral and political, and, as far as could be guessed, how they stood affected as to the present management of affairs at court. This account was carefully transmitted to Barberini.

During the above conference, the bishop happened once more to mention his orders, which, he said, he derived from St. Augustin, the apostle of England, though he was sensible, the writers of the church of Rome made little account of Protestant ordinations. — Panzani managed as before, telling him, it was a tedious, intricate controversy, the particulars whereof he was a stranger to. — The bishop then observed, that the king had been often heard to say, that there was neither policy, christianity, nor good manners in not keeping a correspondence with Rome, by sending and receiving embassadors, as was practised by other courts; and that, if his majesty should think fit to settle such a correspondence, he would himself make interest for that honourable charge. — “Then, replied Panzani, the world would immediately conclude, that you were going over to the church of Rome.” — “And what harm would there be in that?” said the bishop. — Panzani once more falling on the union, expressed himself

himself in a very desponding manner, considering the many difficulties with which they had to struggle. "Well, said the bishop, had you
 " been acquainted with this nation ten years
 " ago, you might have observed such an alteration in the language and inclinations of
 " the people, that it would not only put you
 " in hopes of an union, but you would conclude it was near at hand." Then he solemnly declared, that both he and many of his brethren were prepared to conform themselves to the method and discipline of the Gallican church, where the civil rights were well guarded ;
 " and as for the averſion we discover in our
 " ſermons and printed books, they are things
 " of form, chiefly to humour the populace, and
 " not to be much regarded."

Among thoſe of the episcopal order who ſeemed to deſire an union, none appeared more zealous than Dr. Goodman, of Glouceſter,* who every day ſaid the prieſt's office, and obſerved ſeveral other duties as practiſed in the
 church

* He afterwards gave great offence by reſuſing to ſign certain canons of doctrine and diſcipline, drawn up in a ſynod held in 1639, under archbiſhop Laud ; and was committed to the Gate-houſe priſon. His ſcruples, however, were ſeriously conſcientious ; wherefore he retired from public life, and in that retirement died a member of the church of Rome, in 1655. Dodd, vol. 3, p. 258. Fuller, Hiſt. of Church, p. 170.

church of Rome. — Among the laity, none thirsted more for this union than the earl of Arundel, who proposed liberty of conscience as the first step towards it, and that no demand, on the other hand, should be made of the church lands. — At the same time, several thinking persons speculated not much amiss, that the union would be retarded by the regulars, who, by their claim to ancient privileges and exemptions, would darken the cause as with a cloud, and go near to ruin it. And the Jesuits were chiefly apprehended in this respect. The clergy, to prevent being imposed on by false brethren, caused an oath to be privately administered to all new missionaries of their body, whereby they were to disown themselves to be Jesuits in masquerade.

The great affair of the Pursuivants, meanwhile, was at a stand, and nothing done towards suppressing them, though the Jesuit Smith had all along promised he would take care of that matter; but he always found some pretence or other to hinder Panzani from applying to the ministry for that purpose. This gave him a jealousy, that the affair was not rightly managed, and occasioned him to say that, if, from the beginning he had suffered himself to have been directed in his agency by the Jesuits, he questioned whether he should ever have come to an interview with Wind-
bank,

The Pursuivants are dismissed.



bank, Cottington, Montague, or even with the queen herself. And what further convinced him of their imprudence and unfair dealing was: if the pursuivants, at any time, committed any insolence, they immediately cried out there was a persecution, and sent notice of it to all parts abroad. This seems to have been their reason, why they refused to give Panzani a list of their members, or any satisfactory account of their affairs, as other regulars willingly did, pretending that such a scrutiny would render them public and raise a persecution. But it was not long before a stop was put to the pursuivants proceedings.—Panzani waited on both the secretaries upon that affair; and, by the queen's consent, it was communicated to the king, who being made sensible of the insolence of the pursuivants, and that they treated the Catholics in a barbarous and arbitrary manner, they were all cashiered, and, for the future, Catholics were not to be molested or imprisoned, without express orders from above directed to the justices of peace. This new order was a great satisfaction to the queen, and being known at Rome, was received with great joy.

Barberini, in acknowledgment, sends other presents to the queen.

Cardinal Barberini, in acknowledgment of the favour, prepared a far richer present for her Britannic majesty than he had formerly sent. It consisted of several excellent pieces
of

of painting of the best hands of the present and last century, being the works of Albani, Corregio, Veronese, Stella, Vinci, Andrew of Sarto, Julio Romano, Pietro de Cortona, and other artists of the first repute. The news of these presents soon reached London, and the king, being a good judge and a great admirer of such performances, was impatient till they arrived. They came whilst the queen was lying in; and Panzani, who was commissioned to deliver them, took care that they should be immediately taken to her apartment. She ordered them to be brought to her bedchamber, which was crowded with ladies of the first quality. The king, mean time, hearing of their arrival, hastened, with several of the nobility, to the queen's palace. The boxes were opened in the presence of their majesties, and the pieces viewed one by one with singular pleasure. They represented various stories; but the queen, finding that none of them had any relation to devotion, seemed a little displeased. However, when Mr. Conn came over, the cardinal satisfied her curiosity that way; when he also presented the two secretaries with several valuable pictures, in acknowledgment of the favours shewn to Panzani, and for their late service concerning the pursuivants. Yet he cautioned Panzani not to divulge him to be the author of these presents.

Mr.

Hamilton
goes to Rome,
and has an
audience of
his holiness,

Mr. Hamilton was now arrived at Rome, suppressing the title of agent or resident to avoid some ceremonious controversies, in which the residents of Poland and the queen-mother of France were involved. The one pretended, he was resident of a king actually possessing the crown, while the other only administered as regent. Hamilton, at his first audience, made an elegant speech in his mistress's name, tendering her obedience to his holiness in proper and engaging terms. He declared her intention of keeping one of her servants to reside at Rome, that the state of the Catholics in England might be well understood there, and to settle a good correspondence among the missionaries. He touched something concerning a bishop for the English, and concluded with a modest representation of the elector Palatine's case, which, he hoped, his holiness would consider, so that it might purchase ease to that distressed family, and contribute to the general good of religion.—Urban, point by point, replied to Hamilton's harangue, with a great deal of good nature and sweetness of temper; but as to the case of the elector, it was involved, he said, in a great many intricacies, and that the Roman see was seldom applied to in composing such differences; but that nothing should be wanting as far as he was concerned.

This

This general assurance not being well understood, Hamilton requested a further explanation from the cardinal. His eminence advised him to acquaint the queen with all the particulars of his reception, especially with the answer of his holiness as to the Palatinate, assuring him he should hereafter have a more specific account of the pope's inclinations, in regard of that affair.—Soon after, Barberini and Hamilton discoursed this point over between themselves. Hamilton asked what would be done for the Palatine family, in case they came over to the church of Rome?—The cardinal replied, that all his substance and credit should be sacrificed for their good: that it had always been a family very obsequious to the see of Rome, till prince Louis unfortunately made a breach.—Hamilton mentioned several obstacles that might hinder their conversion.—These the cardinal endeavoured to remove, alledging that they were Calvinists by sect, a sort of people very odious to the king of England; and as he would not be willing to assist them unless they renounced that persuasion, so a step or two further would bring them back to the mother church. He added, that the Calvinistic system was generally abhorred by the princes of Germany, as being disrespectful to crowned heads: that both the electors of Bavaria and Cologne laid the Palatine's sufferings to heart, and their becoming Roman Catholics would
endear

And of the
cardinal.

endear them further to them, which, together with the interest of the court of Rome, might prove a means of their re-establishment. Then turning his discourse to England, the cardinal said, he did not wonder at the present good dispositions of the inhabitants, since they had been formerly so entirely devoted to the Roman see, and it was almost impossible to destroy that ancient amity so far, but that now and then tokens of it would discover themselves, as branches grow out from the original stock. — The same answer he made in regard of Urban's personal affection to the king of England, which, he said, had been of a long standing. He had shewn his zeal in expediting the dispensation upon the match between their present majesties: he had a long time been protector of the Scottish nation, and always busied himself in promoting the happiness of his majesty's dominions: and, to go back to the present king's father, had not the unfortunate gunpowder plot broken out a little before he was sent nuncio into France, he had private orders to treat with king James, by the mutual consent of his holiness then sitting and that prince: finally, though that execrable plot alienated king James from the Roman Catholic interest, yet Urban's endeavours, while he was nuncio, were extremely well taken by his majesty.

These were the overtures of Hamilton's agency. — Mr. Conn, mean time, was pursuing his journey to England; while the Spaniards and some others were full of jealousy upon the issue.

Mr. Conn being arrived at Paris was immediately introduced to the king, the queen, and cardinal Richelieu, by the mediation of the pope's nuncio Baglonetti. They were all extremely well pleased to find a correspondence set on foot, which was likely to produce much good to the Catholic cause. They extolled the zeal of Urban and of his prime minister, cardinal Barberini, offering to contribute their part in so laudable an undertaking. — The English ambassador then residing at Paris gave his master an account of Mr. Conn's reception: he praised his behaviour, and distinguished him by the name of the pope's minister.

Conn comes
to England.

Soon after the arrival of Mr. Conn at London, Panzani was recalled; but before his departure, he took leave of the queen, who failed not to remind him of the hopes she had, that Mr. Conn would be promoted to the dignity of cardinal. Panzani assured her, that his holiness was well disposed to oblige her in that way, and that the cardinal would make it his business to keep alive that good inclination in him: but, as had been more than once signified,

Panzani takes
leave of their
majesties.

nified, that it was not the custom of the Roman court to enter into any engagements of that kind, and that great caution was to be used in Mr. Conn's case, lest other queens should expect the same favour.—To this her majesty replied; that she was far from expecting any special privilege, or to be the greatest of queens; but, on the contrary, being the most undeserving of her rank, and the more inconsiderable for not having a Catholic husband, still she hoped, that unfortunate circumstance entitled her to some extraordinary assistance, and that Mr. Conn's promotion, on several accounts, would be a great advantage to her.—Panzani repeated the same assurances over again, on the part of his holiness and the cardinal; but to advance the matter, he insinuated that Mr. Conn ought first to do some signal service for the church, under her majesty's influence and protection, with whom, however, the cardinal did not pretend to capitulate or make conditions.—The queen was satisfied. Then Panzani taking leave of her, she presented him with a diamond ring of great value, and charged him with such compliments as were due to Urban and cardinal Barberini.

Panzani, afterwards, paid his last respects to the king, returning him thanks for his royal protection and great clemency to his Catholic subjects. His majesty seemed very much pleased

pleased with Panzani's complaisance, and, after some discourse, demanded of the queen who was present, whether she had put him in mind of what related to Mr. Conn's promotion. She replied, that she had done what was requisite in that affair. "Then," said the king, "I have no occasion to press it further. I leave it to her."—Lastly, Panzani took his leave of the chief ministers, and of several of the nobility from whom he had received great civilities: nor did he omit to pay his respects to some of the ladies of distinction about court, who, though protestants, recommended themselves to his holiness, and desired his blessing.—It was the end of the year 1636.

On his return to Rome, Panzani was kindly received by his holiness and the cardinal, and, as a reward of his labour and fidelity, was made a canon of the rich church of St. Laurence in Damafo. He was also honoured with a civil judicature in the city of Rome; and afterwards, being made bishop of Mileto, he governed his diocese with that zeal and constancy which were always conspicuous in his conduct.

R E M A R K S

Subjoined to the MS Copy of the Memoirs,

By MR. DODD.

IT remains that I caution the reader as to the use and credit of this relation of Panzani's agency. The thing being entirely new, never before published in print, and the MS not in above one or two hands, no remarks have hitherto been made upon it. I venture, therefore, to deliver my own thoughts.

If the author was not Panzani himself; he certainly was some other who had his memoirs and private notes in keeping. The original is in Italian, from which it was translated by an eminent prelate of singular candour and scrupulosity, as appears by his exactness in adhering to every obscure expression of the author. I have, sometimes, taken the liberty to open the style, without at all altering the sense, or omitting any passage in the relation. The substance of the account is verified from an infinite number

number of books which have treated upon the same subject ; but the credit of many particulars depends upon the author's authority, and the intrinsic tokens of veracity. —The reader may be led away into a belief, that there was a formed design between Urban VIII. and king Charles, to unite the two churches ; but where lies the intrinsic proof of such an intention ? What was done in that regard, was amongst some of the ministry ; and in this both parties appear to have been too sanguine and credulous. It is a common misapprehension among foreign Roman Catholics, to imagine that England is immediately returning to the church of Rome, if either the King, or any of his chief ministers, says or acts any thing in their favour. Some gentle treatment they frequently experienced in king Charles's reign, his own pacific temper, and the affection he had for the queen, inclining him to indulge that party. It may by some be thought that his majesty went too far against the laws of the realm, in conferring with the pope's minister ; but as the agency was not directed to him, others may view it as a private concern of the queen's, for which he was not answerable.

As to the encouragement given by the secretaries, and others of the nobility and clergy, towards carrying on a correspondence with Rome, and by that means effecting an

union, it appears to me to have been their real design, though at a great distance, being strangers to the king's inclinations that way, and much more to the humour of the nation's representatives, if once the point came to be debated. That several leading persons both in church and state, at that time, were well affected towards the church of Rome, is plain. The two secretaries, Windebank and Cottington, both became Catholics, as also Dr. Goodman, bishop of Gloucester. Montague, bishop of Chichester, had made the nation very jealous of him for a long time ; and it cannot be thought that the primate would ever have been tempted with a cardinal's hat, unless his previous carriage had induced the court of Rome to make him the offer.

Now I am sensible, I shall be taxed with imprudence for publishing this piece of history, and that chiefly on two accounts. First, because it exposes too much the intrigues of the court of Rome against the church of England ; and again, because it reflects upon the regulars, particularly the Jesuits, in relation to the controversies they had with the bishop of Chalcedon and the clergy.

All I have to say is this:—My intentions are to inform and instruct mankind ; which never can be done without offence, where parties
are

are concerned. If no man pursues his *right* without something of passion and human frailty, there must always of necessity be a great deal of foul play, when pretensions are *unjust*. Either, therefore, the world is not to be instructed by such pieces of history, or, when they are published, justice must be done to every one. As for the exceptions mentioned: The whole affair of the English mission may be called an intrigue against the established church, if we regard the end and purposes of it; and of this we may be informed without Panzani's Memoirs. Indeed, the account contains several particulars, reflecting upon the politics of the Jesuits, as also some unfair practices; but the reader is left to his liberty as to the author's credit and partiality. The Jesuits may, perhaps, be furnished with records to justify themselves, which they may produce, by which they will not only oblige themselves, but all others who are not desirous of being deceived.

SUPPLEMENT.

From the close of the agency of Panzani an. 1636, to the appointment of apostolic vicars in the reign of James II.

WHILE the events, which the *Memoirs* of Panzani have recorded, amused the observation of the court, roused the suspicions of the disaffected, and engaged the solicitude of the Catholics, the general state of politics became daily more alarming, and a cloud, charged with ominous forebodings, involved the cabinet, the senate, the city, the army, and the distant provinces. That the storm must soon explode, was obvious to every observer; and where its violence would principally fall could be hidden to few. And in these circumstances it was, (however extraordinary it may appear) that the royal family could talk of a union of churches; that some of their ministers, duped in the same project,

State of the nation and the catholics.

project, could occupy themselves with a scheme of mutual agency from and with the Roman court; and that other plans, equally wild and insufficient, could be agitated. The diadem, the mitre, the coronet were seen visibly to tremble on the brows of their respective possessors, the cry of the growth of popery and of the indulgence, with which its ministers were treated, was echoed from mouth to mouth; and this, reader, shall be the period, when men can seriously attempt to bring back the influence of the tiara, and the forms of a hierarchy that, in days of a more brilliant monarchy, had been exploded as too splendid and too fondly attached to privilege!

The bishop of Chalcedon, meanwhile, lived in France, protected by cardinal Richelieu, who had bestowed on him the abbey of Charroux, and whence he exercised his jurisdiction over the English Catholics by vicars-general, and other ecclesiastical officers.* Tired out with incessant

* I subjoin the *Relation of the Regulars* which, in recapitulating some events, will bring their views and their peculiar prejudices more distinctly before the reader: “ In these times
 “ of trouble, it says, Smith, the new bishop of Chalcedon, a
 “ man of an ardent mind and addicted to the principles of the
 “ Sorbonne and the Gallican bishops, attempted many things
 “ to the prejudice of the Catholics and the injury of the holy
 “ see. Arrogating to himself the appellation of *Ordinary* of
 “ England

fant opposition, and hopeful that the measure might tend to restore peace, he had generously offered to resign his station in the church. The
court

“ England and Scotland, he behaved rather as a *patriarch* than
 “ a *bishop*, confirming the dean and chapter, extending his
 “ jurisdiction, erecting an external tribunal, and calling in
 “ question the confessions which Catholics made to the regu-
 “ lars, he pronounced them to be void, because their powers
 “ of hearing confessions had not been approved by his prede-
 “ cessor or himself. — When Urban was informed of these
 “ pernicious commotions, he directed his nuncio in France,
 “ on the 16th of February, 1627, to signify to the bishop,
 “ That he was no *Ordinary*, having been appointed not the
 “ bishop of England, but of Chalcedon in Asia, and that the
 “ powers he possessed were restricted by the apostolic see, and
 “ were revocable at will, under the clause in the Brief *we*
 “ *delegate*: That the missionaries who are sent into England
 “ by that see, are not bound to receive any approbation from
 “ him, as their destination, their capacity, and their persons
 “ are known to those who send them.”—This resolution of his
 “ holiness was repeated in the following year. But who would
 “ have thought it? The very measures that should have suf-
 “ ficed to repress in the bishop that lust (*libidinem*) of *ordinary*
 “ jurisdiction, were the cause that, tacitly appealing, as it
 “ were, from the chair of St. Peter, and relying on the pro-
 “ tection of the most christian king which he seemed too much
 “ to abuse, he recurred to the divine right and the sacred
 “ canons, in order to shew the necessity of bishops, and of an
 “ ecclesiastical hierarchy for each particular church.

“ For he published Letters and Books; as did, likewise,
 “ Dr. Kellison and other French divines, the intent and object
 “ of all which were to prove, “ That the institution and gov-
 “ vernment of the archpriests, and consequently the govern-
 “ ment of the see apostolic was so far anarchical; that it
 “ departed from the *jus divinum*, and was abhorrent from the
 “ perpetual

court of Rome replied, " That he might proceed in the usual discharge of his office, till the pontiff's declaration should be signified, " to

" perpetual practice of the church: that it was incumbent on the Roman pontiff to provide a bishop for each particular church, furnished with ordinary jurisdiction: that he was not empowered to govern by delegates not only whole churches, but not even parishes: that an ecclesiastical hierarchy was essential to each particular church: that the episcopal jurisdiction emanated immediately from God; or that the single sacrament of confirmation was so obligatory on the faithful, that a bishop was necessary for its administration: that it was rash to say, that the power of such administration might be delegated by his holiness to a simple priest, &c."—And as if these things did not suffice, to such madness did the party run, that, losing sight of the apostolic authority, they had recourse to other judges, namely, to the meeting of the Gallican clergy, to the Sorbonne, and to the archbishop of Paris, with all whom, by the favour of his patron, the cardinal Richelieu, the bishop soon so far prevailed, that the works of the regulars (for they, in defence of the apostolic power, had written against the books of Dr. Smith and his followers) were devoted to every curse, and stigmatised with such dark and bitter censures, as could hardly be cast, it seemed, on Luther himself or Calvin."

" What dissensions and schisms then grew between the regulars, who deserved so well of the holy see by their strenuous defence of its authority, and the bishop with his abettors who assailed it with direful insults, as if, for so many years, by not supplying England with bishops, the *jus divinum* had been unknown, or had been violated, may be plainly collected from the works published on both sides."

" To the cure of these evils, Urban and his cardinals judged it proper to apply an efficacious remedy. This was a *Brief*,
 " prepared

“ to him.”* This declaration was never signified; and the business of the English Catholics went on, as it ever had done, with disorder and discontent,

“ prepared for the 9th of May, 1631, copies of which were delivered to the superiors of the regulars, lest the bishop, as he had before acted in regard to other apostolic decrees, should bury this also in silence and obscurity.†

“ Of this Brief, which begins with the word *Britannia*, the principal contents are: It expresses, in the first place, great complaints and reprehension of the excesses that had happened: then, in regard to the principal cause of the disputes, it declares, “ that the confessions, which have hitherto been heard by the regular priests, were valid, and so shall be hereafter. For since they did hear them hitherto, and so shall do hereafter, by apostolical authority; ordinary leave, or approbation, neither was, nor is hereafter needful unto them. Moreover, let them use and enjoy their privileges and faculties in the self-same manner, as they did before these controversies.”—The Brief then restricts the further hearing of the cause to the see apostolic; it suppresses all books that have been written, or shall be written on the subject; it exhorts all to mutual peace and charity; and it reminds the bishop that, recollecting in what country and troublous tempests he lived, he would strive to be a quencher of disagreement, and stirrer up of love and charity.”

“ This

* Abstract of Transactions, p. 42.

† See this Brief in Dodd, vol. iii. p. 158, as translated by the Benedictine monks; but he had before, p. 17, said, that it was, at the time, deemed spurious or surreptitious by many; and that it was never canonically promulgated, or delivered by proper officers into the bishop's hands. The mode of introduction, as given above, would itself excite suspicion of its authenticity.

discontent, the regulars still pleading their exemptions and privileges, and occupying the ears of his holiness with complaints and with the tender of their services.

These

“ This *Brief* being afterwards published, it was thought that
 “ the bishop would have submitted to the judgment of the holy
 “ see, and would no longer have disturbed the glorious labours
 “ of the regular missionaries. But it proved far otherwise.
 “ For being desirous to decline, or if he could, even to impede
 “ the execution of a *Brief* that crushed the very seeds of his
 “ diocesan pretensions (*prosternens semina legis diocesanae*) he had
 “ recourse to the most subtle inventions. This drew a new
 “ decree from the pope, in 1634, in confirmation of the *Brief*
 “ *Britannia*.”

“ But the bishop still persevered in his ways ; and delaying
 “ irreligiously to execute the *Brief*, he again attacked the pon-
 “ tiff, asserting, with manifest injustice, that he was not fully
 “ acquainted with the true state of things. All these refractory
 “ attempts, however, failing of success, and when he could no
 “ longer, without blushing, meet the eyes of the English Ca-
 “ tholics, and, what was more than all, when, by reason of the
 “ king’s proclamations, he could be no longer safely sheltered,
 “ he withdrew into France.* No sooner was he arrived at
 “ Paris, than, to the great surprise of all men, he took a resolu-
 “ tion of writing a letter to his holiness, in which he resigned
 “ his office and his jurisdiction over the English church.—Than
 “ this resignation nothing could be more welcome to the pope
 “ and cardinals ; for tired with the troubles he had caused, they
 “ had long wished for the event. Wherefore, they instantly
 “ accepted his resignation, which they viewed as a certain re-
 “ medy for all the evils. And, truly, he that will compare the
 “ tranquillity

* There is great inaccuracy in this statement, for the bishop had
 quitted England five years before, in 1629.

These exemptions and privileges I have mentioned, will have been found by him, who, with some attention, has read the annals of general history, to have proved an endless source of discord. They were granted to religious orders by the pontiff, either, at their first foundation, in compliance with the requests of real, or in reward of exalted virtue, or were afterwards obtained under various pretences. On the side of the *grantee*, the object was to be released from the common rules of discipline, in the order of service and the jurisdiction of ecclesiastical superiors;

Exemptions
of the Regu-
lars.

“ tranquility which ensued among the English catholics with
“ the troubles they had experienced, must be compelled to
“ ascribe this resignation of the bishop to the peculiar provi-
“ dence of heaven.”

“ And now all discord should have ceased. But the bishop,
“ actuated by the same levity with which he had made his re-
“ signation, soon repented of the step, beginning to concert
“ means whereby he might procure his remission into England.
“ Wonderful it is, with what effect he laboured to obtain the
“ intercession of the English queen, and the more vehement
“ services of the French monarch and of cardinal Richelieu,
“ to be addressed to the pontiff and to his nephew Barberini.
“ He also sent his agent, Peter Fitton, to Rome. On this a
“ particular congregation was held, in which, after repeated
“ discussions, the holy office decided, “ that neither the bishop
“ of Chalcedon should be sent back into England, nor other
“ bishops be substituted in his place.”—A man less daring
“ would here have closed his career of ambition: the bishop of
“ Chalcedon only did not lose courage, and by his agent perse-
“ vered in his applications. Persons were therefore sent,
“ among

riors; while on the side of the *grantor*, the concession proceeded on the plainest maxims of policy. "I grant unto you," was the Roman bishop understood to say, "the privileges and exemptions for which you plead; but, in return, you must be faithful to me and uphold the prerogatives of my chair." And history tells us that they seldom violated the condition of the grant. Hence was an army raised, attached by domestic interest, to the Roman court; and they guarded the chair of Peter with a trusty vigilance.

"among whom was the cardinal Rosssetti, to collect the most accurate information, and he became a witness, how vehemently the king of England (though his queen earnestly favoured the clergy) and the ministers abhorred the establishment of episcopacy among the Catholics; what troubles to themselves and the Catholics they thence apprehended; what a melancholy renewal of strifes and scandals would thence ensue; and how little that mode of government was adapted to the times and the general state of things. That cardinal therefore received orders that, having, by gentle means, if it could be affected, suppressed the dean and chapter, he should re-establish an archpriest for the government of the secular clergy."

It is remarkable that not a word should here be said of Panzani, who had been in England during the precise series of time through which this relation goes. But the reader will have discovered, what was *his* opinion of the regulars and their cause, which may account perhaps for the omission. And the Rosssetti who is here introduced as a cardinal seems rather to have been a count Rosssetti, whom I find busied in the concerns of the Catholics about the year 1640.

vigilance. But the bishops, whom a primitive institution had named the regular guardians of their flocks, beheld with pain these exemptions, which, while they curtailed their canonical jurisdiction, must sow the seeds of strife, and obviously divide those whom the spirit of the christian institute and of their own prelacy meant to make of one mind and of one heart. And the direful effects they foresaw, followed, and continued to disturb the peaceful administration of ecclesiastical polity. But let me observe, as the limits of the episcopal jurisdiction were thus restricted, the prerogative of Rome grew and spread its branches. They became the subjects of Peter, whom exemptions released from all ordinary controul.

The reader is not unacquainted with the *exemption* pleaded by the regulars, in their controversy with the bishop of Chalcedon. It had been wisely ordained, that no ministers of religion should exercise their functions, without the approbation of their canonical governors, the bishops, in their respective dioceses, after an examination taken of their characters and endowments; and the council of Trent, agreeably to the same spirit, had enacted that no regulars should hear the confessions of the laity or of the secular clergy (which function is deemed a part of the sacred ministry) without the said appro-

approbation.* The bishop, finding that this regulation, in the time of his predecessor, had been unattended to, and aware of its importance to the just discharge of the parochial duties, with a zeal for the establishment of ecclesiastical discipline, which betrayed, however, his ignorance of the genuine spirit of monachism, proposed to the superiors of the regulars a due attention to this wise arrangement. At first, some submitted; but murmurs were soon heard, and to them succeeded a stern and obstinate resistance. They charged the prelate with an assumption of power that belonged not, they said, to a *delegated* agent: they spoke of the supreme bishop of the universal church, from whom their commission to the Catholics of England was immediately derived. The regulars, they said, were only amenable to his tribunal, and owed no submission to an inferior prelacy, the essence of whose jurisdiction, they presumed to believe, flowed from that exalted source: The decrees of the council of Trent, they maintained, (and herein perhaps, they reasoned well) had no binding force in the kingdom, of England, where it had never been solemnly received.

Such were the beginnings of this wretched controversy, the progress and various acts of which

* Sess. 23. c. 15.

which have been sufficiently detailed. And the torch of discord flamed, and the hearts of Christians were divided, because the disciples of a Dominic, a Benedict, and an Ignatius, themselves styled the humblest of the race of man, would not condescend to receive from a prelate, whose just controul the Catholic flock acknowledged, permission, after an examination of their characters and endowments, to hear the confessions of a few lay sinners!* I blush for human nature that the bickerings of children can thus degrade.

The bishop maintained his rights; was driven into exile; and still maintained his rights: while the regulars, in possession of every avenue to the ear of the pontiff, successfully persevered in their resistance, as their own *relation* which I have quoted amply proves.

It will hardly, I think, be asked why the court of Rome took sides with the regulars, rather than with its agent whom it had delegated

Rome favourable to them.

* The bishop, on this occasion, wrote an *Address* to the lay Catholics, in which he explains the motives of his conduct, distinctly stating, *what* it was he demanded of the regulars; with *what authority* he demanded it; upon *what cause* or occasion; and in *what manner*. The *Address* is written with great moderation, perspicuity, and pastoral solicitude.

to govern in its name? For it will be recollected, that that agent in his writings, and the abettors of his cause, had maintained, (what they deemed to be) the divine and independent rights of episcopacy; that a hierarchy was necessary to every church; and that the holy see in its late arrangements, had departed from the venerable maxims of antiquity and the common practice of modern times. He had even styled himself the *ordinary* of England and Scotland, which was saying, that he held his powers from an institution, to which the tiara and the mitre must equally bend.—The regulars, on the other hand, had combated these doctrines, which they denominated *direful insults* to the authority of Rome: Rome, therefore, must patronise their labours, and vindicate their claim to privileges, when it was become manifest how much those privileges had attached them to its nearest interests, the supremacy and universal sovereignty of its bishop.

These assertions may appear severe; but the facts of history prove their truth, and this truth is no where more clearly proved than in the series of events which the reader has already witnessed, and which will continue to hold up the same impression to his mind.

The

Feudal nature
of church go-
vernment.

The mode of government which Rome still maintains in this kingdom, and from which, in no kingdom, it ever departed but when driven to it by hard necessity, draws very near to that feudal system of polity, to which the nations of Europe were once subject. It contained one sovereign or suzerain monarch, in whose hands was lodged the *supremum dominium*, and this he apportioned out to a descending series of vassals, who, all holding of him *in capite*, returned him *service* for the *benefice* they received, in honours, jurisdiction, or lands. And to this *service* they were bound by gratitude which an oath of *fealty* also strengthened.—The application of the system to the sovereign power of the pontiff, and to a chain of descending vassalage in archbishops, bishops, and the inferior orders in the ministry, is direct and palpable. And here also there is an oath of *fealty*.*

But as the feudal system, which in itself was a system of slavery, gradually ceased to oppress the civil state of man; so also has it been in the ecclesiastical order of things. Churches, with their ministers, learnt what their own rights were, and vindicated to themselves their

* See the *oath* taken by bishops at their consecration.

exercise, how loud soever were the reclamations, and strenuous the resistance of their once suzerain lord. The government of the English Catholic church has remained *feudal*, in part owing to the tame spirit of its clergy; but more to the clamours of that band of retainers, whose privileges, and immunities, and exemptions I have mentioned.

The Chapter.

The dean and chapter also, which the first bishop had erected, and which Dr. Smith had confirmed, and which he afterwards sanctioned by a more express declaration,* was attacked by the regulars. They insisted that, as neither of the bishops were *ordinaries*, the institution of a chapter was an illegal act, and that the authority which it assumed was null. It is true, the erection of chapters, as a permanent council to the bishop, and, *sede vacante*, to exercise jurisdiction, is coeval with the earliest ages of the church. But as the power of forming such councils only belonged, as it is agreed, to ordinary bishops, and the two of whom we are speaking were not such, as, I think, has been sufficiently evinced, it cannot be denied that, on this score, the regulars reasoned forcibly, compelling the clergy, contrary to the tenour

* Dodd, vol. 3, p. 151, 2, 3.

of the Briefs, to maintain that their bishops were really invested with ordinary powers. The court of Rome, I know, though repeatedly addressed by that very chapter, and fully informed, through a succession of years, of its existence and many acts, did not suppress it, or treat those acts as invalid and abusive: but as they never, by any decree, confirmed it, it should rather, perhaps, be inferred that they ridiculed its existence, and despised its weak display of jurisdiction. Or may it not be said that, aware that the nominal dignity amused the clergy, they permitted the enjoyment of it, that so they might be less urgent in their applications for a bishop? The regulars, however, would in no form, acknowledge the jurisdiction of the chapter.*

While

* Continuing the *Relation*, which I suspended at the last note, the regulars thus proceed: "The clergy now apprehended the suppression of their chapter; wherefore they dispatched Dr. Holden to Rome,† suspecting that their agent
Fitton,

† Dr. Holden was the author of many works, among which that entitled *Analysis Fidei*, has principally given celebrity to his name. It is written with great precision, elucidating what the pride of theologians had obscured, and separating the tenets of faith from the superstructure of the schools. I wish it were more read, and better understood by the ministers of our religion. Some have complained, that the style is too elaborate, that a metaphysical refinement oppresses the subject, and that, from a desire to be analytical, the author is too diffuse, involving in many phrases what a single expression would have more happily enounced. We

want

Sufferings of
many Catho-
lics.

While the Catholics (whom the great disturbances which now agitated the nation could not withhold from domestic controversy) were thus engaged, many of their clergy suffered under the severest execution of the statutes. The parliament, whose power became daily more predominant, complained of the growth of popery, which they now confounded with an attachment to royalty, and urged the king to rigour. His natural gentleness of character was in their eyes a degrading weakness; and every act of mercy to that proscribed people was

Fitton, was too gentle a negociator. The efforts of Holden were solely bent to procure a confirmation of the chapter, as all hopes were vanished of re-establishing the episcopal dignity. But *latebat anguis in herba*: for as the abettors of the bishop of Chalcedon had taught, that, "when the bishop of any particular see died, the jurisdiction, *jure divino*, devolved on the dean and chapter; and that this chapter enjoyed full power to elect a successor to the see; so that, should the pontiff refuse, or neglect to appoint a successor, or to confirm his nomination, the neighbouring prelates could, and were bound, by a canon of the council of Nice, to consecrate the elected bishop:" Hence, the matter being well considered in a special congregation, the petition of Holden was rejected. He left Rome, therefore, with his companion, the other agent of the clergy; and the remaining years of the pontificate of Urban, which accorded ill with their ambition, were permitted to close in peace."

want, perhaps, an *Epitome* of this work arranged by a masterly hand. It might then be more universally read; and it would silence the quibbles of some and the pedantry of others, who disturb the faith of the multitude. — Dr. Holden resided in the university of Paris, venerated for his learning and virtue, where he died about the year 1665. Dodd, vol. 3, p. 297.

was a violation of the majesty of the laws. In 1641 seven priests had been condemned, whom the king reprieved. Both houses of parliament joined in a petition, that his majesty would take off the reprieve, and order the seven to be executed. Their priestly character was their crime, as enacted by the 27th of Elizabeth. To this petition the king replied from York:—

“ Concerning the condemned priests, it is true,
“ they were reprieved by our warrant, being
“ informed that they were, by some restraint,
“ disabled to take the benefit of our proclamation; since that we have issued out another,
“ for the due execution of the laws against
“ papists, and have most solemnly promised,
“ upon the word of a king, never to pardon
“ any priest without your consent, who shall
“ be found guilty by law; desiring to banish
“ these, having herewith sent warrants to that
“ purpose, if, upon second thoughts, you do
“ not disapprove thereof. But if you think
“ the execution of these persons so very necessary to the great and pious work of reformation, we refer it wholly to you, declaring
“ hereby, that, upon such our resolution signified to the ministers of justice, the warrant
“ for their reprieve is determined, and the law
“ to have its course.”*—The unexpected message

* *Impartial Collections*, by Nelson, vol. ii. p. 732.

face disconcerted parliament, who did not wish that the odium of persecution should lie against themselves; and the priests were permitted to linger out their lives in Newgate.

Two years before, a Mr. Goodman also had been condemned, whom the king was willing to reprieve. The lords and commons on this held a conference, to whom his majesty sent a message: "That having informed himself of
 " the names and natures of the crimes of the
 " persons convicted at the last sessions, and
 " there finding that John Goodman was condemned for being in orders of a priest *merely*,
 " and was acquitted of every other charge:
 " his majesty being tender in matters of blood
 " in cases of this nature, in which queen Elizabeth and king James have been *often* merciful;
 " but to secure his people, that this man
 " should do no more hurt, he is willing that
 " he be imprisoned or banished, as their lordships shall advise.—And he will take such fit
 " course for the expulsion of other priests and
 " Jesuits, as he shall be counselled by their
 " lordships, &c."

But the two houses concurred in a remonstrance to the throne, that Goodman might be executed, and the laws enforced against all other priests and Jesuits: wherefore they waited on the king, to whom he thus delivered himself:

self: " I take in good part your care of the
 " true religion established in this kingdom,
 " from which I will never depart.—It is against
 " my mind that popery or superstition should
 " any way encrease; and I will restrain the
 " same by causing the laws to be put in exe-
 " cution. I am resolved to provide against the
 " Jesuits and priests, by setting forth a procla-
 " mation with all speed, commanding them to
 " quit the kingdom within one month.—Con-
 " cerning John Goodman the priest; I will
 " let you know the reason why I reprieved
 " him. That, as I am informed, neither queen
 " Elizabeth, nor my father did ever avow that
 " any priest, in their time, was executed
 " merely for religion, which to me seems to
 " be this particular case. Yet seeing that I
 " am pressed by both houses to give way to his
 " execution; because I will avoid the incon-
 " veniency of giving so great a discontent to
 " my people, as I conceive this mercy may
 " produce; therefore I remit this particular
 " cause to both houses."*

The next day his majesty communicated to the house of lords the following petition sent to him by Mr. Goodman:

To

* *Impart. Collect.* vol. i. p. 738.

*To the king's most excellent majesty,
The humble petition of John Goodman, condemned,
humbly sheweth,*

“ That whereas your majesty's petitioner
“ hath been informed of a great discontent in
“ many of your majesty's subjects, at the gra-
“ cious mercy your majesty was freely pleased
“ to shew unto your petitioner, by suspending
“ the execution of the sentence of death pro-
“ nounced against him for being a Roman
“ priest; these are humbly to beseech your
“ majesty, rather to remit your petitioner to
“ their mercy, than to let him live the subject
“ of so great discontent in your people against
“ your majesty.

“ This is, most sacred majesty, the petition
“ of him that should esteem his blood well
“ shed, to cement the breach between your
“ majesty and your subjects upon this occa-
“ sion.”*

The magnanimity, which this petition
breathed, greatly moved the king, and seemed
to soften the parliament into some sentiments
of

* *Impart. Collect.* vol. i. p. 738.

of humanity : for Mr. Goodman was not executed, and after five years confinement, I find he died on the *felons side* of Newgate !

I have adduced these instances, to which more might be added, to shew how stern was now become the spirit of the nation, when the genius of republicanism, falsely imagined favourable to the feelings of humanity and its amiable virtues, had, with an iron grasp, taken hold of the minds of many. Their resentment, I know, was excited, because the queen, who was a Catholic, was supposed to bear a great sway in the councils of the king ; and because the principal part of those of her persuasion were obviously attached to him. To punish or to weaken this attachment, which, in some regards, perhaps, was not sufficiently enlightened, and to thwart her majesty's preponderance, Parliament judged it expedient to overwhelm by severity that body of men, with the influence of whose principles and conduct they were not unacquainted,

But the reader will observe how much the state of things was altered. In the two preceding reigns, as I sedulously noticed, the Catholics suffered and their priests were executed, either because they refused the oath of allegiance, under James ; or because, under Elizabeth, they had seemed to have conspired with
the

the enemies of their country in some hostile measure. "I am informed (the king has just been heard to say) that neither queen Elizabeth, nor my father, did ever avow that any priest, in their time, was executed merely for religion." But in the reign of Charles, of the twenty priests that suffered death, and of many others who died in prison, I do not find one against whom any other crime was alleged, than to have received orders abroad, and have returned into the realm, which by the 27th of Elizabeth had been declared *high treason*. In 1642, a Mr. Roe, as he stood in the cart at Tyburn, thus addressed the sheriff: "Pray, Sir, if I will conform to your religion, and go to church, will you secure me my life?"—"That I will," said the sheriff, "upon my word; my life for yours if you will but do that."—"See then," observed Mr. Roe, turning to the people, "what the crime is for which I am to die; and whether my religion be not my only treason."*

Indeed, as not the cause of *allegiance*, but the weakening of *royalty*, now engaged the thoughts of parliament, and no hostile views or co-operation with external enemies could be objected to the Catholics, it is plain why their religion, taken

* *Memoirs of mis. priests*, vol. ii. p. 200.

SUPPLEMENT.

taken with the relations I before mentioned, would be deemed a crime that called for severe chastisement.

And, while their ministers were imprisoned or suffered death, the lay-community, under the same imperious arm, were exposed to great distress. In the year 1643, parliament made and published several rigorous acts and ordinances, which they afterwards more strongly enforced, against *Delinquents*, as they called them, and *Papists*; whereby all, whether Catholics or others, that had already, or should hereafter, assist the king against the parliament, were to have their whole estates seized and sequestered into the hands of committees, named to that purpose; and all Catholics, (that is, all such as harboured any popish priest, or were convicted of recusancy, or that assisted at mass, or whose children were brought up in the popish religion) were to forfeit two-thirds of their whole estates, real and personal, to be disposed of for the uses of parliament, unless they took an oath, which any magistrates could tender to them, abjuring the pope, transubstantiation, purgatory, &c.*

These

* MSS Collections by Knareborough in the same Memoirs, p. 322.

These acts were executed with extreme severity on the whole body of Catholics, as the victories of the parliamentary forces, and the decline of the royal cause empowered the sequestrators to proceed. Few families escaped their rapacious violence; while the Pursuivants, with their wonted audacity, entered their houses, clearing away the furniture and what else invited their insatiable love of plunder. Dismay, and sorrow, and perplexity sank the Catholics low; for the sensibilities of charity seemed to be suspended, and the tear of human kindness did not flow for their distress. Such, I have said, was the stern nature of republicanism, brooding over its plans of selfish independence, and measuring with a contracted span, what portion of property, of liberty, of enjoyment, it was expedient, each member of the community should be permitted to share.* The lowest orders suffered in the general sequestration: even they “tripartited the day-
“labourers

* Not that I am an enemy to the republican form of government, which in theory, I think, bears a decided pre-eminence. But it is not to the brilliancy of theory only that the legislator must look, when he is framing a constitution for *man*, and the thousand relations in which he stands, of times, habits, and external influences, press for observation. And it may be, that the republican form is only adapted to coalesce with an infant community, where it may grow with its growing greatness, modify its progress, and check the dangerous lust of wealth and
power

“ labourers goods, and very household stuff, and
 “ have taken away two cows where the whole
 “ stock was but three.”*

Thus, in gloomy rotation, passed the remaining years of Charles, which the Catholics ennobled by their loyalty, and a dignified resignation to their fate. Their loyalty, as they conceived it, was founded on patriotism, and their resignation was the fruit of virtue. In the school of adversity they had been long trained. Lord Castlemain has left us a list of the names of those Catholics, who lost their estates or their lives in the royal cause.†—The king was executed on the 30th of January, 1649.

The bishop of Chalcedon, whom the calamity of exile had withdrawn from a scene of greater calamity at home, continued in France; for neither had the regulars suspended their opposition, nor would the court of Rome relent. Devoted to retirement and study, he occasionally

Death of the
 bishop of
 Chalcedon.

power. With nations of long existence it seems not to comport, wherein the stamina of life have been used, and there is not sufficient virtue left to invigorate the new order of things. Besides, the evils of *Revolutions* are uncalculatable.

* *Christian Moderator* by Austin, p. 9, &c. as quoted in the above *Memoirs*.

† See *Catholic Apology*.

ally enjoyed the society of the learned; and from the various works he published, as particular occurrences called up his attention, we find, that a pastoral solicitude for his flock was his nearest care. Cardinal Richelieu remained his friend; but when he died in 1642, and Mazarin became minister of state, from what motives I know not, but from what influence I can guess, the new favourite withdrew his protection, and even deprived the exiled bishop of his abbey. Thus reduced in his circumstances, he was no longer able to relieve, by a generous attention to their wants, the crowds of English that followed the fortunes of their prince into France; and in this inability, he retired to an apartment near the convent of some English nuns, upon the Fosses St. Victor in Paris.* This convent, a few years before, he had himself contributed to found; and here he lived till 1655, when he died aged 88. The nuns, in pious gratitude to his memory, laid a stone upon his grave that records the leading incidents of his life, the prominent lines of his character, and their own filial affection.††

The

* Dodd, vol. 3, p. 19, 78.

† Ibid, p. 171.

† The *Relation of the Regulars* having, in its usual way, stated an unsuccessful application for the confirmation of the chapter, in

The character of Dr. Smith, as it ever is with men whom fortune draws from the crowd, has been variously portrayed. The regulars viewed him as an arrogant pretender to power and the enemy of their institute; the court of Rome as an ungrateful agent, who aspired to the dignity and the independent rights of a christian bishop: but to the clergy he was the champion of the prelacy, and a martyr to the just claims of the British church. I have read his works with attention, in which I discover much that merits praise, little that merits censure. And his life, I believe, was edifying and pastoral.

in the beginning of the pontificate of Innocent X. which the queen enforced, thus proceeds: " But afterwards, the friends to episcopacy and the chapter did not desist. The matter, therefore, under Innocent, was brought to a more accurate discussion, and the following reasons for refusing a bishop to the British church were adduced: That the whole business having been repeatedly brought under examination by Paul V, and the opinions of the apostolic nuncios and the English Catholics taken, it had been rejected; that the new form of a hierarchy which was demanded, and the confirmation of the chapter, though strongly enforced, had not been approved by the holy see, because such a hierarchy was odious to the heretics, was dangerous to the Catholics, and, at this time, was impracticable. Besides, were it conceded, there was reason to think, that the clergy, who so often attempted things contrary to the laws of discipline, would arrogate to themselves a power, *ex lege divina*, of electing their own bishops, and should the apostolic see refuse confirmation, of procuring
 T " their

pastoral. In attacking the immunities of the regulars, he manifested more zeal than prudence; and when the foe was roused, ridicule not reasoning should have been his weapon. In his contest with Rome I would thus have addressed him: "Prelate, you have assumed
 " the title and the powers of an *ordinary*, neither
 " of which the *Brief* of your appointment warrants, and under that *Brief* you were consecrated to your see.—But the good of my
 " church, you say, and the venerable practice
 " of ages disclaim all precarious jurisdiction,
 " and call for an establishment which the
 " precious will of no man shall subvert or
 " hereafter

" their consecration from France. The danger also was, that
 " the English Catholics themselves would remonstrate against
 " such a hierarchy, in their own defence, as they had done under Urban. In fine, that no advantage in the present state
 " of things, could be derived from it, either for the reformation of the clergy, or the keeping the Catholics in their duty,
 " as no external court could be maintained, with the various
 " usages appertaining to it."

" At last," it goes on, " these vexations ceased, with which
 " the holy see had been often troubled by those, whom a wanton itch of episcopacy urged forward. Necessity, however,
 " and not inclination did it; for, on the death of Charles, the
 " English government was subverted, and in the general wreck
 " the whole body of the nation was involved."

The statement is untrue; for the *vexations*, as they are termed, that is, *applications* continued to be made to the Roman see for bishops, as the series of events will shew.

“ hereafter modify.—Then summon the clergy to your aid: tell them, if they be ignorant of it, what has ever been and is the usage of the Christian church; what have ever been and are the rights of episcopacy and the priesthood; what has ever been and is the claim of a believing laity. Define the prerogative of the Roman bishop; specify the essential jurisdiction of his chair; and to that essential jurisdiction, which bounds the center of orthodox unity, attach their belief, their veneration, their Christian fealty. Thus instructed your flock will rally round you; and secure in their support you may convey to Rome their united suffrages, which shall tell his holiness that you are *chosen* by your people (as were the prelates of ancient days) to be their pastor; that you implore his benediction; that you acknowledge him for your head; and that, as the discipline of modern days requires, you intreat his *confirmation* or *institution*,* and the fulfilment of such forms as may be deemed expedient.”

On

* This office of *Confirmation* or *Institution*, though, in times long passed, exercised by patriarchs, and metropolitans, and often by the bishops of provinces, now exclusively resides in the pontiff of Rome. That it originally belonged to his see, and was thence *delegated* to others, is thought by some; while others teach, that it has been permitted by the episcopal body gradually to *devolve* on their common head. He who has con-

The Chapter
assumes jurif-
diction.

On the death of the bishop, the same episcopal jurisdiction which they had before exercised, again devolved on the chapter, that is, they again assumed to themselves its exercise. But this council, by a resolution of the general assembly of the clergy, held in 1653, had now acquired a more direct and permanent establishment. The resolution was : “ Should our
“ bishop

templated, through the ages of ignorance, the absorbing vortex of the Roman see, will know to which side of the question he should incline.—The *election* of bishops has been more various. It was once in the clergy and laity, then in the provincial bishops, in the cathedral chapters, and, as the feudal system obtained, in the hands of princes and their sovereigns.—The whole *exercise*, therefore, whether of *Institution* or *Election*, must be resolved into discipline. What has changed could not have been *divinely* appointed. Indeed, his present holiness, tenacious, as he justly may be, of his present prerogative, against the invading politics of France, has himself unequivocally spoken : “ But this power,” says he, “ of *conferring* jurisdiction, by a “ *new discipline (ex nova disciplina)* now received for many ages, “ and confirmed by general councils and the concordates of “ kings, can by no means appertain to metropolitans, because, “ brought back to that see whence it had gone out, it alone re- “ fides with the chair of Peter.”*—And provided the important chain of *episcopal succession* be preserved unbroken, it matters little, by whose hand the descending links be added ; nor is it necessary I should say, that as he only can confer *order* who has been himself ordained, so can he only confer *jurisdiction*, who is himself canonically possessed of jurisdiction. The *election* of superiors, undoubtedly, should ever belong to the clergy, who are most interested in their appointment, and whose cause is the cause of their flocks.

* Pius VI. *Episcopi Gallia, &c.* April 13, 1791.

“ bishop die before any change of government
 “ come upon us by the coming in of one or
 “ more bishops, or otherwise, our determina-
 “ tion is, that all the clergy stand in a modest
 “ defence of the dean and chapter, and yield
 “ due obedience to them.”* And the same
Resolution, by a similar authority, was again con-
 firmed in 1657:† we must, in future, therefore,
 view this chapter (if not as a canonical meeting
 in its first institution) as the representative
 body of the Catholic clergy and their delegated
 organ.

Though much, at the time, was written on
 the subject, I shall barely mention the contro-
 versy to which the opinions of Thomas White,
alias Blackloe, gave rise. He was a minister of
 our church, and a man of uncommon learning;
 but his sentiments were often paradoxical, and
 he took a wanton pleasure in departing from
 the

Mr. White,
alias
 Blackloe.

* *Encyclical Letter by the Dean and Chapter*, an. 1660, p. 25.—
 I have by me the minutes of this general assembly, composed of
 deputies from all the districts of England and Wales, and which
 continued sitting from the 11th to the 18th of July. The ob-
 ject was to settle, by a general arrangement, the concerns of the
 clergy, lest, at the bishop's death, which was expected, all order
 might be overturned. They, therefore, came to distinct resolu-
 tions on ten points that were laid before them. The deputies
 were 15 in number, with Mr. Harrington the bishop's vicar
 general.

† Ibid.

the received idiom of the schools. Having taught much in our foreign seminaries, he had acquired many friends, the admirers of his virtues, rather than the followers of his opinions. These opinions excited a general notice, and the ignorant, and the malevolent, and the bigoted taking the alarm, represented the author as a dangerous innovator, and more than unstable in his faith. The whole body was divided ; but moderate men and men of learning would not sacrifice to the cries of ignorance the reputation of a person, whose extreme errors were the mere extravagancies of genius. Dr. Holden came forward in his defence : “ You know,” says he to a friend, “ the greatest part of his adversaries (I mean “ those whose profession is to judge of such “ things ; for the laity, *in matters of doctrine belong-* “ *ing to religion*, ought to be hearers and learners, “ not teachers or judges) are brought up in “ your private seminaries ; and thence easily “ conceive, whatever they hear, either oppo- “ site to, or unmentioned in their master’s “ dictates, to be erroneous. Whereas, if they “ knew the latitude of our most learned men’s “ singular, and sometimes new-invented or re- “ newed opinions, daily maintained, and pro- “ blematically disputed, in our public schools, “ without the least suspicion of their integrity “ in Catholic belief, they would not (if no “ way blinded with passion) so slightly shoot “ their

“ their censuring bolts at random, especially
 “ against a brother, and such a brother.”*
 This he wrote from Paris in 1657, where, as I
 before observed, he always resided. But the
 tongues of such adversaries could not be bridled,
 and the leading men amongst the clergy, the
 heads, particularly, of the chapter, were stig-
 matized as the abettors of error under the ap-
 pellation of *Blackloists*. Mr. White finally sub-
 mitted his writings to the judgment of the
 holy see.†

I cannot omit a curious instance of arbitra-
 ry jurisdiction, exhibited at this time, by the
 Roman congregation *de Propaganda fide*, who is-
 sued a *decree* whereby, every apostolic mission-
 ary that, in future should publish any work,
 without the express licence of the congrega-
 tion, was deprived of his functions, and *ipso*
facto excommunicated; this sentence to be re-
 served to his holiness; and the licence, when
 obtained, to be prefixed to the work, under the
 same penalty.‡

The chapter, which I had just left, by their
 agent, gave an account to his holiness of the
 bishop's

Proceedings
 of the chapter.

* Dodd, vol. iii. p. 354.

† See *Records of Mr. White*, Dodd, p. 350.

‡ *Decretum*, Ibid, p. 388.

bishop's decease, and requested to know his pleasure concerning the future government of the Catholic church in England. He replied: "I will not disapprove of your chapter; but will let you alone with your government."* This was Alexander VII, who had lately succeeded to Innocent.

In the same year, 1655, the chapter dispatched Mr. Plantin, a new agent, to Rome, to supplicate for a successor to bishop Smith. His holiness, in compliance with their requisition, promised, they should have a bishop within seven months." "And how," observed the agent, "shall our church be governed in the interim?"—"Have you not a dean and chapter?" replied Alexander,†

These answers of the pontiff were clearly an implied approbation of the chapter's jurisdiction.

Having occasion to write to Rome in the following year, the chapter, though the seven months were expired and no successor appointed, addressed a letter of thanks to his holiness for his paternal care in promising them a superior

* *Transactions*, p. 56.

† *Ibid.* p. 57.

rior with *ordinary* powers.* He had made no such promise; but it was wise to signify the extent of their own wishes.

In 1657, the chapter in a general assembly nominated six persons as proper for a bishop, and constituted Mr. Pendrick their agent to Rome; to whom, some months after, with a perseverance that became them, they gave orders forthwith to wait upon his holiness, and supplicate him in their names to make good his promise. Letters likewise, to the same effect, were sent to the protector Barberini. The instructions to the agent were; 1st, to desire a bishop *cum potestate ordinarii*; 2dly, that they dare not accept of any *extraordinary* authority, which would be against the laws of their Catholic ancestors, and the will of the state; 3dly, that the bishop be chosen out of the six named by the chapter; 4thly, if any other *person*, or *authority*, contrary or inconsistent with this, be endeavoured to be imposed, that he *resolutely oppose it*; and, in the name of the chapter, protest against it, 1st, because the *ancient* laws of England admit of no *extraordinary power* of the pope; 2dly, because there is a severe penalty, called a *Præmunire*, against those that shall receive any such; 3dly, that, in the reign of Henry VIII. the clergy,

by

* *Transactions*, p. 57.

by reason of this, were compelled to renounce the pope's authority; 4thly, that all the laity will fall under the same *præmunire*; and therefore, 5thly, that the chapter think themselves bound in conscience to acquaint the laity of the danger to which they will be exposed, by accepting such an authority; lastly, that the state is already too jealous of any intrenchment from the power of the court of Rome: The chapter, therefore, dares not receive any superior but an *ordinary bishop*.*

These manly sentiments, thus forcibly expressed, tell us what then was the conviction of the clergy, and how true they were to the firm conduct of their ancestors. In what softer shades of colouring the resolutions were conveyed to his holiness, we do not learn; but we learn, that no change was made, and that the promise to be fulfilled in seven months remained unexecuted. In 1659, Dr. Gage was appointed agent.

State of the
Catholics under
Crom-
well.

The reader will connect this series of small events with the great occurrences of the times, when the wise fabric of our ancestors was dissolved, when a commonwealth was established, and

* *Transactions*, p. 58, 59. *Encyclical Epist.* p. 35.

and when Cromwell, with a mighty arm and a mind of deep intelligence, had assumed the reins of government. The Catholic party was now confounded with those who were enemies to the new order of things; and loyalty not religion became their crime. To conciliate the affections of all was the obvious policy of the protector; and had not the spirit of loyalty been of that stern complexion, which no threats or allurements could bend, success, probably, would have crowned his wishes. Indeed, I have little doubt, had providence indulged him with a longer span of life, that the whole nation would tranquilly have submitted to a controul, the wisdom and strength of which Europe viewed with envy; and that to this day, perhaps, the commonwealth had stood, firm, happy, awful, magnificent, as was that of ancient Rome.

Of the two priests who suffered death, at this time, under the fatal statute of the 27th of Elizabeth, in 1651 and 1654, Mr. Southworth the last, in a speech he delivered at Tyburn thus observed: "I am innocent of any sin against man, the commonwealth, and the present government." How justly then I die, let them look to it who have condemned me. It is sufficient for me, it is God's will. I plead not for myself: I came hither to suffer; but for the poor persecuted Catholics I leave behind me. Heretofore, liberty of conscience
" was

" was pretended as the cause of the war; and
 " it was held, as a reasonable proposition, that
 " all the natives enjoy it, who behave them-
 " selves as obedient and true subjects. This
 " being so, why should their consciences, acting
 " and governing themselves according to the faith
 " received from their ancestors, involve them,
 " more than all the rest, in an universal guilt,
 " which consciousness is the very religion that
 " clears others, and makes them innocent? It
 " hath pleased God to take the sword out of
 " the hand of the king, and put it into the
 " protector's. Let him remember, that he is to
 " administer justice indifferently, and without
 " exception of persons, with God, whom he
 " ought to resemble. If any Catholic work
 " against the government now established, let
 " him suffer: but why should those that are
 " guiltless (unless conscience be a guilt) be
 " made partakers in a promiscuous punishment,
 " with the greatest malefactors,"*

In the expression of sentiments thus just and dignified, and which became the minister of religion who submits, without clamour, to the ruling powers of the state, Mr. Southworth met his fate. He was the first and last that suffered in the protectorate of Cromwell.

By

By the brilliant scenes of festivity and folly that, with the *Restoration*, soon broke upon the nation, the Catholics with their ministers were not so dazzled as to lose sight of their favourite object; and the clergy again renewed their application to Rome. I have said, that Dr. Gage was now their agent there: him, therefore, they instructed to present the same supplication for an *ordinary*, and to protest against the introduction of *every other* jurisdiction, as Mr. Pendrick had lately done.*

The chapter continues to apply for an *ordinary*.

He was soon able to inform his employers, that Alexander, mindful of his early promise, was inclined to favour them; but that the cardinals, under the influence of a party which had ever stood in the way of their designs, were averse from the measure. He seems not, however, in the first stage of the business, to have acquainted the chapter that the *bishop*, whom the pontiff was inclined to send, was to bear the title of *Vicarius Apostolicus*. The appellation was new; but in its obvious import, it conveyed more distinctly that idea of *dependence*, which, jealous of all its prerogatives, the court of Rome was resolved not to surrender. Dr. Gage, wearied out and assailed on all sides, was at one time almost

almost prevailed on to accede to the proposal, when the watchful vigilance of the chapter, apprised of the design, averted its completion.*

While the agent was in Rome, a scheme was agitated among the clergy which shewed their resolution and exhausted patience, and which, it would have been well, they had executed. The scheme was, should the *first see* refuse to give us bishops, to apply to the nearest metropolitan, as the council of Sardica, they said, had enacted. And the archbishop of Rouen, it is asserted, had really been consulted, and had given his consent. Such an encroachment on the pontifical prerogative, however much the discipline of ancient days might authorise the measure, was not to be borne; and the court of Rome, we are told, when apprised of the design, first caressed, and caajoled Dr. Gage with additional promises and with kind but evasive expressions, whilst, by the means of potent friends, they prevailed on the archbishop to desist from the dangerous enterprize.†

The agent, in his various letters, now confesses, how much the policy of that artful court had

* Transact. p. 61, 62. Dr. Leyburn's *Encyclical Answer*, p. 79.

† Transact. p. 61, 62.

had imposed on his honest credulity ; and it was not to be managed, he saw, by the methods he had first pursued, submissive fawnings, humble addressees, acknowledgments of signal favours, no pretensions of right or equity : “ It “ is my opinion,” he says, “ that, if it were in “ their power, they would abolish all autho- “ rity but what depended immediately upon “ themselves ; and this they will do, when “ there is not a power able to resist them.”— But the chapter, fearful of his too easy condescension, recalled him from his post ; whence before his return, he gave them this assurance : “ In the *interim*, make no doubt of the chapter’s “ authority ; for it is most evident, that this “ court admits it.”* — This was in the year 1661.

A general assembly was this year held ; but, under an apprehension that some umbrage might be given to government, lord Aubigny, son of the duke of Lenox and afterwards almoner to queen Catherine, was requested to acquaint his majesty, that the design of their meeting was merely to settle some private concerns, and to procure a bishop for their superior ; but that he might be assured, they would

* Transact. p. 61, 62.

would chuse such a man for the office as should be well-principled, and his loyal and faithful subject. The king consented to their meeting, and sent this gracious answer: "That he
 " commanded them not to meddle with, or
 " accept of, any *extraordinary* authority from
 " Rome: That, as for the laws made since the
 " reformation against Catholics, he would
 " protect them from them; but could not do
 " it in respect of the ancient laws, provided in
 " Catholic times, against such authority." The assembly, on this, met, and passed a decree, *Never to accept of such authority.**

Satisfied with the firmness of this decree, the chapter, for some years, seemed little solicitous in the prosecution of their favourite plan; but hearing in 1665, that the scheme of a *vicar apostolic* was revived, they ordered a *letter* to be written to his holiness signifying, that they could not receive *such* a superior; and praying him not to impose it, because the example of the *archpriest* alarmed them; because the Catholics are now placed under a settled authority, and unanimously agreed in it; because there have been many contracts between the chapter and its officers, over all England, which, should they not stand to the chapter, would fall to the ground,
 to

* Transact. p. 64, 65.

to the great scandal and injury of Catholics; because the state has ordered them not to accept of a *vicar apostolic*.—The same instructions as had been before given, were repeated to their agent, to insist on an *absolute ordinary*, and resolutely oppose all other *titles* or *authorities*, as directly forbidden by the state, and against the constant sense of his brethren; and to add, that the laity reclaimed against it, protesting that they durst not submit to any such jurisdiction.*

Still nothing succeeded: their resistance only, it should seem, prevented the appointment of a Roman delegate, whose approach, under every denomination, the clergy so much dreaded. Alexander VII. was dead, and his successor Clement IX. was in the chair of St. Peter. The chapter ordered Mr. Holt, their agent, to present their gratulations to his holiness, to move for a bishop, and to signify, that the honourable Philip Howard, if invested with the powers of the late bishop of Chalcedon, would be agreeable to them. This Philip Howard, grandson of Thomas earl of Arundell, was, at this time, a Dominican friar; was afterwards, in 1675, promoted to the purple, and became protector, in the language of Rome, of the English nation.—The chapter

* *Transact.* p. 67. 68.

then again resolved that, under no pretence or palliation, the word *Vicarius Apostolicus* be admitted, on the grounds they had before urged, as directly contrary to the king's command, offensive to the state, provided against by the ancient laws of the realm, and extremely dangerous to Catholics. They resolved, should Philip Howard be their bishop, that his jurisdiction must be *ordinary*; that it is the right of the old English *chapters* to chuse their *bishops*; and that they will not yield this right to the pretensions of the Roman court.*—This was in the year 1670.

Mr. Holt, in return, informed the assembly, that, having had an audience, his holiness had assured him, “that he had great consolation in “the English clergy;” that his nephew told him, “his holiness was infinitely satisfied with “the English clergy;” and that Signor Baldeschi, secretary to the *Propaganda*, acquainted him, “that the Jesuits reported, the clergy de- “fired not a bishop.”—After this, he says, a congregation was held, wherein it was agreed to give us a bishop; that Philip Howard was judged a fit person; but what his authority should be, was not determined.†

And

* *Transact.* p. 69, 70.

† *Ibid.*

Reflections.

And here the matter rested. Fifteen years had elapsed since the death of Dr. Smith, which the clergy, as has been seen, consumed in reiterated but useless applications to the Roman court. They receded not from the resolutions they had passed, which as occasion served, they even confirmed in other meetings; but they ceased to prosecute an endless measure. I traced, with pain, the series of their applications, that the reader might, in one view, contemplate the policy of the court they courted, its insincere promises, its evasive shifts, and, above all, its immutable resolution never to co-operate in the establishment of an authority that, in a single act, should be independent of its own paramount will. For this, as we have seen, was the arch-priesthood instituted; for this, was a saving clause, which annihilated the very essence of the supposed grant, inserted in the briefs of the two succeeding bishops; for this, was the present supplication of the clergy resisted, and a superior offered, whose very name of *vicar apostolic* should define his dependent and delegated powers. Strange it may seem, that men who could reason as the clergy reasoned, to whom all the artifices of Rome were familiar, and whose fixed determination it seemed to be not to submit to imposition, should not have chosen for themselves an obvious path, and have pursued it. The remark has been already made, and the cause of that conduct analysed.

The chapter had now long exercised *episcopal* jurisdiction over the whole English Catholic church; and as Rome was perfectly acquainted with the circumstance, which it neither disapproved or controuled, the inference was direct, that it possessed every requisite form to render its character canonically complete.* What defect there might have been in its first institution, was now compensated by the approbation of Rome tacitly given to its acts, and, what in my estimation was far more valuable, by the consent of the clergy testified in their approbation of, and submission to, its jurisdiction. The regulars, it is true, with their usual hostility resisted; but, since what period has their consent been deemed necessary to the formation of a government, the first acts of which, perhaps, must inevitably clash with their privileges and exemptions?

Some transactions of the reign of Charles II.

As I would not break the series I had commenced, it is necessary to revert to certain transactions in which the Catholics were concerned, and thus bring up the narrative to its proper period.

Nothing was at first done for them: yet their pretensions were great, and they seemed

to

* *Transact.* passim.

An address being made to the house of peers, the year after the Restoration, for some relaxation of the laws against them, a committee of that house was appointed to examine and to report all those penal statutes, which reached to the taking away the life of any Catholic for his religion; "there not appearing one lord in the house, who seemed to be unwilling that those laws should be repealed." After the

U 3 committee

committee was appointed, the Catholic lords and their friends, for some days, diligently attended it, and made their observations on several acts of parliament in which they desired ease. “ But, on a sudden, this committee was “ discontinued, and never after revived; the “ Roman Catholics never afterwards being solicitous for it.”

The truth is, they very soon quarrelled amongst themselves. The lords and men of estates, little anxious about the abolition of laws which concerned principally the lives of priests, desired rather a repeal of those, whereby their own property, as recusants, was affected. The churchmen, on the other hand, were not much solicitous about the removal of laws, by which they might gain the glory of martyrdom, whilst they continued under other restraints more grievous far than death.—A committee was then chosen from among themselves of the superiors of the regulars and of the secular clergy. They met at Arundell house, along with some of the principal lords and gentlemen. Here also disputes soon began; and they disagreed about the form of an oath or subscription, which, it was intended, should be made or taken by all Catholics. A proposition had likewise been made, that none but secular priests should be tolerated in England, who should be under a bishop and a settled form of government; and that

that all the regulars, in particular all Jesuits, should be, under the severest penalties, forbidden the kingdom. The same plan, as appears from Panzani, had been agitated in the former reign. The committee, as was natural to expect, was dissolved, and met no more.*

From this time, owing principally to that rooted dislike which the nation had long entertained, their transient goodwill to the Catholics, generated by loyalty, passed away, and they became, as before, common objects of aversion. The marked propension, that the king felt and ever expressed for them, was regarded with an eye of peculiar jealousy. In his declaration for liberty of conscience to the dissenters, in 1662, he says: "It is divulged
 " through the kingdom, that we are highly in-
 " dulent to papists, not only in exempting
 " them from the penalties of the law, but even
 " to such a degree of countenance and encour-
 " agement, as may endanger the protestant
 " religion.

* This statement, founded on Lord Clarendon's narration, is taken from the *State and Behaviour of English Catholics*, p. 46, a work I published some years ago. In reviewing many things contained in that book, I have the satisfaction to find, they were given with great accuracy: but there are some *reflections* which do not now please me, and which, as they gave offence, I am sorry were ever admitted. It is well, that experience should correct the too hasty effusions of younger years.

“ religion.—It is true that, as we shall always,
 “ according to our justice, retain, so we think
 “ it may become us, to avow to the world the
 “ due sense we have, of the *greatest part* of our
 “ Catholic subjects of this kingdom, having de-
 “ served well of our royal father, of blessed
 “ memory, and from us, and *even from the pro-*
 “ *testant religion itself*, in adhering to us with their
 “ lives and fortunes, for the maintenance of
 “ our crown in the religion established, against
 “ those who under the *name of zealous protestants*,
 “ employed both fire and sword to overthrow
 “ them both. We shall, with as much free-
 “ dom, profess unto the world, that it is not
 “ our intention to exclude our Roman Ca-
 “ tholic subjects, who have so demeaned them-
 “ selves, from all share in the benefit of such
 “ an act, as, in pursuance of our promises,
 “ *(to the Dissenters)*, the wisdom of our parlia-
 “ ment shall think fit to offer unto us, for the
 “ ease of tender consciences. It might appear
 “ no less than injustice, that those who de-
 “ served well, and continue to do so, should
 “ be denied some part of that mercy, which we
 “ have obliged ourselves to afford to ten times
 “ the number of such, who have not done so.
 “ Besides, such are the capital laws in force
 “ against them, as that, though justified in
 “ their rigour by the times wherein they were
 “ made, we profess it would be grievous to us
 “ to consent to the execution of them, by put-
 “ ting any of our subjects to death for their
 “ opinion

" opinion in matters of religion only. But
" at the same time, as we declare our little
" liking of these sanguinary laws, and our gra-
" cious intentions to such of our Roman Ca-
" tholic subjects as shall live peaceably, mo-
" destly, and without scandal, we would have
" them all know, that if, for doing what their
" duty and loyalty obliged them to do, or from
" our acknowledgment of their well-deserving,
" they shall have the presumption to hope for
" a toleration of their profession, or a taking
" away either those marks of distinction, or
" of our displeasure, which, in a well-governed
" kingdom, ought always to be set upon dis-
" senters from the religion of the state, or to
" obtain the least remission in the strictness of
" those laws, which either are, or shall be made
" to hinder the spreading of their doctrine, to
" the prejudice of the true protestant religion ;
" or that upon our expressing (according to
" Christian charity) our dislike of bloodshed
" for religion only, priests shall take the bold-
" ness to appear, and avow themselves, to the
" offence and scandal of good protestants, and
" of the laws in force against them ; they
" shall quickly find, we know as well to be
" severe, when wisdom requires it, as in-
" dulent, when charity and sense of merit
" challenge it from us."*

* Dodd, vol. 3, p. 390.

These sentiments of the king are just and manly, considering the times in which they were delivered ; but they did not satisfy the fullen humour of many : wherefore, in the following year, speaking to his parliament, he repeated the same declaration, in words equally consistent and humane. “ But let me explain “ myself,” he says, “ lest some mistake me, as “ I hear they did in my *declaration*. I am far “ from meaning by this a toleration, or qualifying the papists thereby, to hold any offices “ or places in the government. Nay further, “ I desire some laws may be made to hinder “ the growth and progress of their doctrines.”* — Emboldened by the last clause, which a desire rather to conciliate, than any conviction of its propriety, seemed to have drawn from Charles, both houses joined in a petition, that his majesty, by proclamation, would command all Jesuits and priests, to depart the kingdom by a day, under pain of the severest penalties of the law.† To this the king consented.

Yet, as had been the fate of many similar proclamations in the preceding reigns, means were used to evade its execution, and few, if any, Jesuits or priests were banished. The circumstance that, at this time, excited peculiar jealousy was the presence of two Catholic queens,

* Dodd, vol. iii. p. 391.

† Ibid. p. 187.

queens, with their separate courts, Catherine of Portugal whom the king had lately married, and the queen-mother. She was come over on a visit to her son; and the auspicious occasion drew around her, and round the court of Catherine, many priests and others of the Catholic communion.

The next year, 1664, a design was formed, which originated with the king himself, of bringing a bill into parliament, seriously meant to serve the Catholics, by putting them on that footing of ease and security, that their conduct, as good subjects, he thought, merited. Measures of ascertaining their numbers had been previously taken, that men the most hostile to the Catholics might know, there was little to be feared from so inconsiderable a body. He wished also that a distinction should be made betwixt those, who, being of ancient extraction, had persevered in the religion of their fathers, and those who became profelytes to the Roman church. In the new bill it was intended to provide against such changes in religion. The king had likewise resolved to diminish the number of priests, and to reduce them into such order, that he might himself know all their names, and their several places of residence. "This measure," observes lord Clarendon, "must have produced such a security to those who stayed, and to those with whom they stayed, as would have set
"them

“ them free from any apprehension of any penalties imposed by preceding parliaments.” —But this design, which comprehended many other particulars, from the perverse opposition of some weak heads of the party, vanished as soon as it was known. Moderate men, who then desired nothing but the exercise of their religion in great secrecy, and a suspension of the laws, were cruelly disappointed, and in their conferences with the king often complained “ of the folly and vanity of some of their friends, and more particularly of the presumption of the Jesuits.” All further thoughts of the bill were dropt; nor was there ever after mention of it,—The passage is taken from lord Clarendon,

It is unnecessary for me to trace the ill-will of the nation to the body of Catholics, as it visibly encreased through a series of events, —the fire of London, in 1666, which was malevolently imputed to them; the machinations of the *cabal* ministry, in 1670, and the following years; the imprudence of the duke of York in the too open declaration of his religious sentiments; the money treaties between Louis XIV. and the English king, which betrayed the dearest interests of the nation, and in the first of which the commissioners, chosen to transact the shameful business, were of the Catholic persuasion,

These

These, and other events of an irritating tendency brought forward the *Test Act* in 1673, which, though eventually it involved the Protestant dissenters, was primarily intended, as the words plainly signify, *to prevent dangers which may happen from Popish recusants*.* It is, therefore, enacted that all persons who accepted any office of trust or emolument in the realm, shall, besides taking the oaths of allegiance and supremacy, receive the sacrament according to the ordinance of the established church, and, at the same time, make the *declaration* against transubstantiation.

Nor did this act, which consigned the Catholics to insignificance and obscurity, as yet allay the disquietudes of the public mind. Even the clouds daily thickened round their heads: The most trivial occurrences were misconstrued: designing men whispered suspicions which themselves had engendered: the weak and timorous were alarmed: the nation was on tiptoe, looking round for some dreadful explosion.—And at this crisis it was, in 1678, that Titus Oates produced his *plot*, the work of his own malevolent contrivance, or the stratagem of a deeper villain.

I will not recount the atrocities of this sad period, when, for the space of more than two long

* 25 Car. II. cap. 2.

long years, the mind of the English people was infatuated; when both houses of parliament, with a credulity unheard of, drank down the baneful illusion; and when the Catholics, charged with the blackest designs, and innocent of all, were delivered up to the most cruel persecution. The *plot*, of which they were accused, was to assassinate the king, to overturn the government, and to extirpate the Protestant religion. Of the numbers that thronged the prisons, six Jesuits were hanged, and as many laymen, protesting with the last breath their innocence; and the scene closed with the execution of the venerable viscount Stafford.—Still other victims, I must add, were sacrificed to the ill-humour of the nation; for, in 1679, eight priests more suffered for their character, that is, for having taken orders in the Roman church, and remaining in the realm contrary to the statute of the 27th of Elizabeth. Some died in prison, and others experienced his majesty's mercy. Finally, Mr. Thwing was hanged at York, and Dr. Plunket, the titular archbishop of Armagh, at Tyburn, in 1681, both accused of conspiring against the state, and both innocent.*

The national phrenzy had now spent its wildest rage; and humanity and reason resumed their

* *Memoirs of Miss. Priests.* Also Dodd. *passim*.

their sway. It should be remarked, perhaps, that the king, from the beginning, was almost the only person who treated the plot, as ascribed to Catholics, with a becoming contempt: but he could not stem the popular fury, nor avert from the sufferers its direful effects. Who were the movers of this atrocious scheme, has not been clearly ascertained; but suspicions have fallen on many, and on none, with more semblance of truth than on Anthony Ashley Cooper, earl of Shaftesbury, whose object in it was, not to persecute the Catholics, but to *exclude* the duke of York, who had embraced their religion, from the throne of his ancestors. The reader will recollect with what pertinacity the question of the *exclusion* was agitated in more than one session of parliament.

To some of the priests that suffered, had been tendered the oaths of *supremacy* and *allegiance*; and this reminds me to observe, that, about this time, the controversy regarding the lawfulness of those oaths had been revived among the Catholics. Many of the laity, prompted by the advice of some of the clergy, had taken, it seems, the oath of supremacy.* This roused anew the spirit of opposition; the
court

The contro-
versy on the
oaths revi-
ved.

* Letter of Barberini, Dodd, vol. 3. p. 383.

court of Rome was alarmed ; and the most respectable part of the clergy, by a public instrument, declared their disapprobation of the oath, because, they said, “ it obviously renounced
 “ the plenary jurisdiction conferred by Christ
 “ on Peter, and through him, on his successors, of feeding and of governing the universal church.”*—But the *oath of allegiance*, against which no such argument could be opposed, was not so easily surrendered either by the laity or clergy.† Wherefore, cardinal Howard, lately made protector of the British nation, thus wrote: “ The declaration sent me
 “ last year serves to free you from the imputation, in as much as concerns the *oath of supremacy*; but I have nothing to alledge in
 “ your behalf, for not making appear your obedience to this holy see, in submitting to
 “ what hath been declared by it against the *oath of allegiance*; which nevertheless is expected from you.” He then more than intimates, “ that it will not be in his power, without their concurrence, to hinder the impressions that may be caused in the minds of
 “ his holiness and others, on whom they (the clergy) must necessarily depend, for obtaining what they judge most important (the
 “ appointment

* *Letter of Barberini*, Dodd, vol. 3. p. 384.

† *Ibid.* p. 385, 386.

“ appointment of bishops) for a right government amongst themselves, and the flock committed to them.”*

Thus, like his predecessors, was the English cardinal true to the maxims of the Roman court: and he could say to his countrymen, that, if they dared to declare their allegiance to their king in words, which that court had censured as hostile to its favourite prerogative, they must expect no favour thence, though that favour regarded the *canonical* government of themselves and of the flock committed to them!—If I repeat reflections, it is the inveteracy of unvarying conduct that compels me to it.

Many writings were published in vindication of both oaths; and on that of *allegiance*, the faculty of Sorbonne being consulted, returned an opinion favourable to those who maintained its lawfulness:†—But this *opinion* produced no acquiescence in the adverse party: They insisted, that the Bulls of Paul V. which forbade the oath to be taken, “ because it contained “ many things openly contrary to faith and “ salvation,” must ever remain in force;—that the clause in the oath wherein lies the

* Letter of cardinal Howard, p. 385.

† Opinion of certain Paris doctors, Dodd, p. 388.

whole difficulty, and which abjures as *impious* and *heretical* the position, “That princes, ex-communicated or deprived by the pope, may be *deposed or murdered* by their subjects,” cannot be understood *conjunctim*, as the French doctors had pronounced, but must be taken *divisim*;—that the application of the words *impious* and *heretical*, in a *formal* sense, to the word *murdered*, and, in a *material* sense, to the word *deposed*, was futile;—that, as many popes and many distinguished divines have so taught, and do so teach, it is not a certain truth, *that princes in certain cases, may not be deposed by the Roman bishops*;—that, as the oath may be deemed a public profession of faith, it should be taken according to the plain and common understanding of the words, as in the close of the oath itself is sufficiently indicated;—that the distinction of *material* and *formal* sense, introduced by the doctors, and applied to their respective words, is above the reach of the vulgar, and not admitted, perhaps, by the magistrates who may tender the oath;—that the most venerable and learned of the Sorbonne had not approved the oath, even with the annexed interpretation, and that the forty-eight, who had given their names, were men of less distinction, and many of them but lately raised to the doctoral degree.*

So

* Dodd, p. 387.

So easy is it to involve the plainest things in obscurity; and thus perplex the minds of the well-meaning and the illiterate.—The favourers of the oath replied; and discussion rose on discussion:

Among the priests who were brought to the bar, (one of whom was condemned; but afterwards pardoned) two, it appears; had taken both the oaths, Charles Serne* and Andrew Bromwich.† The latter in a speech he had prepared to deliver at the place of execution, thus speaks: “ I am not to be executed for refusing any allegiance to my gracious sovereign. I have professed that fully, by the *oaths* before his majesty’s justice of the peace; and am satisfied in my conscience, that, under God, belongs only to his sacred majesty Charles II. the supreme coactive jurisdiction, sovereignty, and rule over the persons of all his subjects, within any his dominions, of what estate, or condition soever they be. I have professed, that neither the pope, nor any foreign person, hath right to exercise any external power, or coercion by civil and corporal punishments, without his majesty’s authority, upon his subjects within his

* Dodd, p. 304. † Ibid. p. 293.

“ dominions. I do not mean, that the king
 “ can exercise any power of the keys, or any
 “ act of jurisdiction purely spiritual, or in-
 “ ternal; as to preach, minister the sacra-
 “ ments, consecrate to holy orders, absolve,
 “ define, or excommunicate: because all
 “ these things, being merely or purely spiri-
 “ tual, belong to those, whom the holy ghost
 “ hath placed to rule the church of God. I
 “ have professed, that neither the pope, di-
 “ rectly nor indirectly, hath power to depose
 “ the king for any cause whatsoever, or ab-
 “ solve any of his subjects from their natural
 “ allegiance, or give licence to murder princes;
 “ whereby I have given to Cesar what is due
 “ to Cesar; and do not know, that I have
 “ taken any thing from God, which belongs to
 “ God. I am not to be executed for the plot:
 “ I was never accused of it.”*

With what an admirable precision are the
 difficulties, which hang about the oath of
 supremacy, thus removed, and its clauses
 reconciled to Catholic belief. But neither
 before that period, nor since, have there
 been many found, whose minds were as en-
 larged, and whose discrimination was as accu-
 rate, as were the mind and discrimination of
 Andrew

* *Speech of Andrew Bromwich, Dodd, p. 359.*

“ declarations.”* But his priests or his advisers had darkened, in a cloud of zeal, the natural penetration of his mind. It is related, that the Spanish ambassador Ronquillo, at his first audience, said to the king: “ I see several
 “ priests about your majesty, who will be im-
 “ portune to have the established religion al-
 “ tered ; but hearken not to their advice, for if
 “ you do, you will have reason to repent of it
 “ when it may be too late.”—“ And does not
 “ your king,” observed James angrily, “ ad-
 “ vise with his confessors.”—“ He does,” re-
 plied Ronquillo; “ and therefore our affairs go
 “ on so ill.”†

The great attempt was now to be made; and he would enforce it, it seemed, by measures which imprudence alone dictated, and which the laws of the country proscribed. On the 9th of November he again met his parliament, to whom, having observed how inadequate the standing forces of the kingdom were to maintain the peace and quiet of his subjects and the security of government, as the late events had proved, he acquainted them that he had more than double the army, to support which he now asked for supplies. “ Nor can
 “ I doubt,” he said, “ but what I have begun,
 “ so

* Rapin, p. 747. † Ibid. p. 751.

“ so much for the honour and defence of the
 “ government, will be continued by you with
 “ all the chearfulness and readiness, that is re-
 “ quisite for a work of so great importance.”—
 He then proceeded: “ Let no man take excep-
 “ tion, that there are some officers in the army
 “ not qualified, according to the late *tests*, for
 “ their employments. The gentlemen, I must
 “ tell you, are most of them well known to
 “ me; and having formerly served me on se-
 “ veral occasions, and always approved the loy-
 “ alty of their principles by their practice, I
 “ think them fit now to be employed under
 “ me; and, will deal plainly with, that, after
 “ having had the benefit of their services in
 “ such time of need and danger, I will neither
 “ expose them to disgrace, nor myself to the
 “ want of them, if there should be another re-
 “ bellion to make them necessary to me. I
 “ am afraid some men may be so wicked, to
 “ hope and expect, that a difference may hap-
 “ pen between you and me on this occasion.
 “ But I will not apprehend that such a misfor-
 “ tune can befall us, as a division, or but a
 “ coldness between us.”*

This misfortune, which he deprecated, was
 inevitable. The Tories, of which the parlia-
 ment

* Rapin, p. 752.

Andrew Bromwich ; and therefore, has his example been lost upon us. . He was reprieved, as I have said, and afterwards pardoned, and lived to see some years of the present century, respected in his neighbourhood, revered, and loved. I am happy also to add, that I inhabit the dwelling that once was his ; breathe the air which he breathed ; and strive, not, I hope, quite successfully, to imbibe his spirit, and, in a feeble transcript, to copy his virtues. The whole of that excellent speech, part of which I have extracted, shews that, if he reasoned on a point of controversy, with the accuracy of a philosopher, he, at the same time, entertained every gentle and generous sentiment of a Christian, and was prepared to die with a martyr's fortitude, had he been called, as he expected, to the awful trial, by the stern justice of his country.*

* “ A worthy and virtuous brother of ours, Mr. Daniel Fisher, seeing, in the plot time, some Catholics out of fear take the oath of *supremacy*, and, upon long studying the particulars, being fully persuaded that it might be taken, writ a Treatise to shew that that *oath* neither *did* nor *could* mean to attribute any power *purely spiritual* to the *prince*, or take it away from the pope ; but only meant *external* and *coercive* jurisdiction in *external courts*, in the same sense as we call *Doctors Commons*, the *spiritual court* ; all which *spiritual power*, it is manifest, the king of Spain claims and exercises in Sicily. This dissatisfied some of our old-fashioned zealous brethren.—The question was much agitated at that time. Sir John Winter

End of
Charles's
Reign.

The commotions that the plot had raised, having subsided, the Catholics began to look to better days, though, by the *test act*, they were now debarred from all participation in the government of the country ; though, by the statute of the 30th of Charles, their peers and wealthy commoners were excluded from both houses of parliament, unless they subscribed a *Declaration* subversive of their Catholic belief ; though the general body, laity and clergy, from the late charges of treason and sedition, had received an additional stigma on their name which the lapse of many years, and conduct the most irreproachable, should hardly efface. But the king, from this time, governed with more firmness ; the thinking part of the nation seemed to blush at their late credulity and extravagance ; the parliament, no longer possessed of popular favour, spent their strength in vain efforts ; and the duke of York, the immediate heir to the crown, whom a powerful faction had harassed with unceasing acrimony, openly professed

“ had published a Treatise to prove it lawful, so had Mr. Hutchinson ; so had Mr. Cressy. Dr. Godden opposed it “ by a paper he sent us out of France.” *The Appeal*, p. 4. by John Sergeant, a man of uncommon erudition among the clergy, who died in 1707. Dodd, vol. ii. p. 472. Cressy's *Reflections on the Oaths* were printed in 1661 : the works of the other two I have not seen ; but I have by me some MSS. anonymous Tracts written at that time, as also, I believe, Dr. Godden's *Paper* just mentioned.

professed his religion, which, it was now obvious, he would carry with him to the throne. This, with regard to Catholics, was the altered state of things, wherein the short-sighted, the ignorant, the bigoted of that communion would see ample cause for exultation, and the wise and temperate would read, perhaps, the symptoms, and know the signs, of misfortunes and of accumulating evils. On the 6th of February, 1685, the king died; and because, in his last hours, he professed himself a Catholic, it is probable that, at all times, in his few serious moments, he had been strongly inclined to the principles of that religion. Indeed, there is no doubt of it; and two papers he left behind him, written with his own hand, prove that, he had weighed the subject with some deliberation.*

James ascended the throne; and all the gloom which, for years, had seemed ominously to threaten, was, as by a magician's wand, at once dissipated. The Tories were clamorously triumphant; the Whigs in fullen silence hung their heads; the Presbyterians looked for toleration; the Catholics for something more than ease; while the church, passive and unresisting, was

Reign of
James II.

* See them in Dodd, vol. iii. p. 98.

was disposed to go along with every wish of her supreme head, provided her own ascendancy were maintained inviolate.—As they are connected with my subject, I must state some of the events of this reign, as much as may be, in the order of their succession.

Aware of the good opinion many entertained of his virtue and sincerity, the new king was resolved to confirm that opinion; wherefore, on the day of his brother's death, he thus spoke to the privy-council: “ I have been reported to be a man of arbitrary power; but that is not the only story has been made of me; and I shall make it my endeavour to preserve this government both in church and state, as it is now by law established. I know the principles of the church of England are for monarchy, and the members of it have shewed themselves good and loyal subjects, therefore I shall always take care to defend and support it, I know too, that the laws of England, are sufficient to make the king as great a monarch as I can wish; and as I shall never depart from the just rights and prerogative of the crown, so I shall never invade any man's property. I have often heretofore ventured my life in defence of this nation; and I shall go as far as any man in preserving it in all its just rights and liberties.”

“liberties.”*—With what sincerity this was spoken, the process of events will shew; but it was received with applause, and the nation re-echoed it.

He made no changes in the council, none in the chief places of trust; but then it must be remarked that, in the last years of his brother's reign, his influence had directed all general measures.—On the third day, after his accession, he went publicly to mass.—Charles's funeral was then solemnized; the vacant offices filled with Protestants; addresses received from the counties, cities, and boroughs; and, his coronation and that of the queen being celebrated on the 23d of April, which was followed by the trial of Titus Oates and others, the new Parliament assembled on the 19th of May. To them, among other things, the king repeated the declaration he had made to his privy-council, which was answered by a vote of thanks, and the settling on him an annual revenue of more than two millions sterling.†—The Catholic lords, who had been imprisoned for the plot, were discharged from the tower, and, in a flow of general satisfaction, the tide of affairs proceeded, when news came that the earl of Argyle was

* Rapin, vol. 2, p. 741. † Ibid. p. 746.

was in arms in Scotland, and presently after, that the Duke of Monmouth, with about eighty followers, had landed in the west of England. The reader knows how these rebellions ended; and he has heard of the cruelties exercised by Jefferies and Kirk on the followers of the unfortunate Monmouth; cruelties which have stained the history of the first year of James, but which, I think, have been too wantonly imputed to the orders of a monarch, whose dispositions, surely, were beneficent and humane.

At this moment of success and general favour, when the king looking round him, saw no obstacle that could impede the accomplishment of his most sanguine wish, he seems to have conceived the project, the thought of which, probably, he had long indulged, of bringing back the nation to the Roman Catholic faith, or, at least, of preparing them for it. How little did the state of things warrant the feasibility of the project! He knew the temper of the people most hostile to that religion, and he had upon his recollection the words which his parliament by the mouth of their speaker had lately uttered: "We bring not to your majesty any bill
" for the preservation or security of our reli-
" gion, which is dearer to us than our lives,
" and we rest satisfied in your own repeated
" declarations."

ment was almost wholly composed, were blindly attached to the prerogative, and they would have patronised its extension even by a standing army, so long as they saw that the increasing influence of the crown would be exerted in the support of their own passive principles, and to counteract the designs of the Whigs. But when they beheld that the present measures obviously tended to the overthrow of a religion, which they had declared, was dearer to them than their lives, and to the emancipation, if not to the aggrandisement, of a party, for whom they had ever felt an unaccountable aversion, notwithstanding the similarity of their mutual political tenets, they began to open their eyes, and to perceive that there was room for jealousies and fears, and that the assertion often made by the Whigs was too well grounded, namely, "that the interests of a Roman Catholic king were not reconcileable with those of a Protestant kingdom." Great debates ensued in both houses, which, however, were followed by a vote of thanks to his majesty, and by a supply to be granted of seven hundred thousand pounds for the maintenance of the army. This had been augmented from seven to fifteen thousand men.*

The

* Rapin, p. 753.

The affair of the Catholic officers was not so easily passed over; for here they saw a *dispensing* power exercised, which, if not checked, must utterly frustrate the legislative capacity of parliament, invalidate all law, break down the sacred tenure of liberty and property, and subvert the constitution. It mattered not, that other kings had claimed and used that power, as a part of their prerogative: it was time that the reign of despotism should close. The commons, therefore, addressed the king, expressing their satisfaction in the suppression of the late rebellion, “ which threatened,” they say, “ the overthrow of this government in church and state, “ to the extirpation of our religion as by law “ established, which is most dear to us, and “ which your majesty hath been pleased to “ give us *repeated assurances* you will always defend and maintain; which, with all grateful “ hearts, we shall ever acknowledge.” They then continue. “ And as to that part of your “ majesty’s speech relating to the officers in the “ army, not qualified for their employments, “ as the law directs, we do humbly represent “ to you, that these officers cannot by law be “ capable of their employments; and that the “ incapacities they bring upon themselves that
“ way,

* Rapin, p. 753.

“ way, can no way be taken off but by an act
 “ of parliament: therefore, out of that great re-
 “ verence and duty we owe unto your majesty,
 “ we are preparing a bill to pass both houses,
 “ to indemnify them from the penalties they
 “ have now incurred: And because the conti-
 “ nuing them in their employments, may be
 “ taken to be a dispensing with that law, with-
 “ out an act of parliament, the consequences of
 “ which are of the greatest concern to the rights
 “ of your majesty’s subjects, and to all the laws
 “ made for the security of their religion, we do
 “ most humbly beseech your majesty, that you
 “ would be pleased to give such directions there-
 “ in, that no apprehensions or jealousies may
 “ remain in the hearts of your majesty’s most
 “ loyal subjects.*

To this address the king returned an ambi-
 guous reply, expressive of some anger and of
 much surprise: “ I did not expect,” said he,
 “ such an address from the house of commons.”
 Nor were the commons much satisfied with their
 own patriotism, which tended too directly, they
 saw, to the subversion of that *nonresisting* principle
 they so cordially cherished. To make some
 amends, then, for the offence they had given,
 they proceeded to ways and means for raising
 the

* Rapin, p. 753.

the supply; and besides the indemnity bill they had mentioned, they resolved to offer another to the king, to qualify such officers to serve in the army as he should think proper.

But these flattering appearances vanished. James understood that great opposition was meditated against the proposals just offered, and that the endeavours of his friends would fail: wherefore, on the 20th of November he prorogued the Parliament, tho', by the prorogation, he lost the supply of seven hundred thousand pounds, and finally dissolved it, purposing to govern by a council that should be more pliant, and more subservient to his wishes. Of this parliament, Burnet has said, but not with truth, "that in all England it would not have been easy to have found five hundred men so weak, so poor, so devoted to the court."*

Particulars of
the appointment of the
first vicar apostolic.

While the great concerns of state thus proceeded, the internal business of the Catholic body had undergone some change, and Rome had established over them her favorite theory of dependence and controul. The reader knows, how vigorously the secular clergy had opposed every arrangement, but that of an ordinary superintending prelacy, for which they had perseverantly

* *Hist. of his own Times*, p. 668.

severantly petitioned; and that the Roman court had as incessantly rejected their prayer. When cardinal Howard was named protector, they had preferred the same supplication to him, enclosing the names of such persons as they deemed most proper for the office. Thirty years had passed since the death of the bishop of Chalcedon, and the clergy could indulge no hope, that Rome would be more propitious to their wishes, unless, perhaps, the improving state of things at home, or the manifestation of the royal will, should plead more powerfully for them. The chapter, therefore, maintained its jurisdiction, resolute to accede to no mode of discipline, that should not place them on the same footing with other christian churches. In cardinal Howard, they doubted not, the firmest confidence might be placed, not aware that he had, for some years, breathed the air of Rome, and worn its purple.

About the spring of the year 1685, news was brought to the chapter that Mr. John Leyburn, secretary and auditor to their protector, and nine years before, president of Douay college, was appointed bishop, with the appellation and authority of *vicar apostolic*, over the kingdom of England. Ignorant of the secret influence that had completed the measure, but conscious that the imposition was affected, *in scio et invito toto clero*, the chapter, in consternation, met, when it was resolved that their dean, Dr. Perrot, should wait

on his majesty, and by remonstrances, if possible, avert the blow. The king received him graciously, and listening to his discourse on the convenience of ordinary jurisdiction, and the inconvenience of any other authority, to which the dean added the *suitableness* of the former to the kingdom and its circumstances, and the *unsuitableness* of the latter, his majesty replied: "I will admit
 " of no prelate from Rome, but with ⁷ordinary
 " powers; nor shall Mr. Leyburn be received
 " with the character of *vicar apostolic*: but I beg
 " you will send me in a *memorial* stating more
 " distinctly the difference between an *ordinary*
 " and a *vicar apostolic*."* Drs. Godden and Giffard accompanied the dean to this interview with the king.

In obedience to his majesty's commands, the chapter prepared a *memorial*, which was presented July 23, 1685. It stated,

" That, by a bishop who is an *ordinary*, is
 " meant one who hath power of his *own*, or in
 " *himself*, to govern the flock over which he is
 " set; and whilst he acts accordingly, he is not
 " responsible to any, or revocable at pleasure.

" On

* *Transactions relating to the secular clergy*, p. 74, 75.

“ On the contrary, a *vicar* is one, who hath
 “ no power of his *own*, or in *himself*; but only
 “ the *use*, or *exercise* of the power of the person
 “ who *substitutes* him; so that what he doth, he
 “ doth not by his own power, but by the
 “ power of the person whom he represents: to
 “ whom, therefore, at all times he is account-
 “ able, as using purely *his* power, by whom that
 “ power, and himself too, are revocable at plea-
 “ sure.—Whence it follows, that a *vicar* need
 “ not be a *bishop* at all, but in certain cases;
 “ and, although he be consecrated, and so have
 “ the title and character of a *bishop*, yet acting
 “ only *in* and *by* the power of *another*, according to
 “ the order and instructions given by *him*, he is
 “ not properly a *bishop* of the flock to which he
 “ is sent, but *officer* or *delegate* of the person who
 “ sends him.”

This difference being stated, they humbly
 crave leave to represent to his princely consi-
 deration:

“ 1st. That, if an *apostolic vicar* be admitted,
 “ then his majesty’s Catholic subjects will be
 “ governed, in *ecclesiastical* matters, after a dif-
 “ ferent manner from all other Catholics in
 “ most parts of Christendom, even in *Italy*
 “ itself; which will be apt to breed in them
 “ jealousies of being involved in the same in-
 “ conveniencies,

“ conveniencies, as they were by the power
 “ given to the *archpriest*.

“ 2dly. That this power not being the vi-
 “ car’s *own*, but *his* in whose name he acts, it
 “ may be taken from him at pleasure, *etiam sine*
 “ *causa*, and the Catholics left without any su-
 “ perior, either *ordinary* or *extraordinary* to go-
 “ vern them.

“ 3dly. That the *vicar* being obliged to act,
 “ not by the known laws and rules of the *church*,
 “ but by *special orders* and *injunctions* from his
 “ *delegant*; the government will be *arbitrary* and
 “ *uncertain*; which must be of a pernicious
 “ consequence as well in *ecclesiastical* as *civil*
 “ affairs.

“ 4thly. That divers *laws* enacted by his
 “ *Catholic* ancestors, in providing against the
 “ inconveniencies of *foreign pretences* of the court
 “ of Rome, viz. Ed. I. Ed. II. Ed. III. Rich. II.
 “ stand still in force; and an *ordinary bishop* will
 “ be obliged to espouse his majesty’s and king-
 “ dom’s interest, in the due execution of the
 “ said *laws*, which a *vicar* cannot be expected to
 “ do; but, if enjoined, act contrary to them.

“ 5thly. That the very name of a *vicar*
 “ *apostolic* will raise in his majesty’s Protestant
 “ subjects

“ subjects an apprehension of the kingdom's
 “ being subjected to the *immediate jurisdiction* of
 “ a *foreign court* ; against the *pretensions* of which
 “ court, either *ecclesiastical* or *civil*, all his *Catholic*
 “ *ancestors* thought themselves obliged to stand
 “ upon their *guard*.

“ To avoid these *inconveniencies*, it is humbly,
 “ therefore, offered to his princely considera-
 “ tion to provide, that the *bishop* to be sent for,
 “ be declared true and proper *ordinary* of the
 “ Catholics in England, with command to go-
 “ vern them as other *ordinaries* do.”*

The determination of his majesty expressed to Dr. Perrot, seems to have been additionally confirmed by this memorial ; for he ordered a letter to be written to Paris, to inform himself of the truth of Mr. Leyburn's appointment, and to forbid his arrival in England with the title of *vicar apostolic*.† But favorites, with other views, in possession of the ear, and probably, of the conscience of James, suggested the propriety of co-operating with the wishes of Rome ; and the reader need not be told, how open a Stuart was to secret influence, and how, with the wind of opinion, his mind could vary. Be

* *Transact.* p. 90, 1, 2.

† *Ibid.* p. 75.

this as it may : bishop Leyburn, who had been consecrated at Rome, with the title of *Episcopus Adrumetenus*, and, by commission, *Vicarius Apostolicus* in England, arrived in this kingdom towards the end of the year, and had an apartment prepared for him at St. James's, with a pension, from the exchequer, of 1000 pounds *per annum*.*

“ Thus (says the author, writing in the
 “ name of the chapter, whom I quote below)
 “ we were compelled by obedience to his ma-
 “ jesty to a non-opposition ; for what could be
 “ done or proposed with reason as likely to
 “ have any probable effect, against the deter-
 “ mination of the *pope* and *king* ? So that a
 “ *tacit acquiescence* was our only refuge.†”

Yet certain persons, commissioned by the chapter, waited on the vicar, to know from him the name, and nature of his jurisdiction as to the secular *clergy*, as also how he would conduct himself in regard to the chapter?—To the first he answered, that his title was *vicar apostolic*, and his power *extraordinary* : to the second, that he had no commission either to allow, or to deny the chapter, but that he would carry himself *abstractedly* towards it : and, as to his proceedings

* Dodd, p. 466.

† Transact. p. 75, 6.

ceedings with the clergy, he would exercise *common* authority except on extraordinary occasions.*

In this manner, (the secret history of which is undiscoverable, but which comports well with the views and policy of the Roman court) in direct opposition to the wishes of the clergy, and in derision of all their efforts, was a Roman delegate forced upon them. The circumstance of the king's desertion, probably, compelled them to submit; for had he remained firm, or even neutral, in the transaction, I am inclined to believe, judging from the characters of the men, that they would not have received Mr. Leyburn in the capacity he came, so degrading to their honest pride, and subversive of the plan, which they, and their predecessors, through the progress of many years, had indefatigably abetted. They *acquiesced*, when to resist would be fruitless, perhaps, even detrimental to their interest with the king; and their *acquiescence*, for I can deem it nothing more, has descended to us. In them or in us, there could be no *approbation* of a measure, against which their last *memorial*, and all the acts of their predecessors, so loudly remonstrated, and which

we,

Reflections
on that ap-
pointment.

* *Transact.* p. 76.

we, under the conviction that reason and the order of Christian discipline were on their side, cannot cease to condemn.

In himself and in his endowments, Mr. Leyburn was conspicuously valuable; and he had dedicated those endowments to the service of the public.* But no worth of character can compensate for his acceptance of a *delegation*, he knew to be so odious to his brethren; and great, truly, must have been the confidence, the effrontery rather, that could have emboldened him to present himself in the capacity of their superior amongst men, who had not called for his services, nor approved his nomination; on the contrary, who had resolutely deprecated his appointment, and resisted it. Did he think, the Catholics of England so depended on the will of the pontiff, or were so completely a part of his flock, that, without their consent, he could dispose of them, or give them away, as he may his sheep that roam for food over the putrid plains of Campagna, or on the parched sides of the Appennines? The clue that leads through the difficulty is palpable. Power is pleasing to man, whatever be his professions of humility, through whatever channel that power may

* Dodd, p. 466.

may come: Mr. Leyburn was nephew to Dr. George of the same name, whose whole life had been hostile to the jurisdiction of the chapter and to many of its members: Mr. Leyburn had passed nine years in Rome, within the air of the court, in the family of a cardinal.— Wonder not, reader, if, under these impressions, he was induced to sacrifice the interests of his body, the honour of Catholics, the venerable form of ecclesiastical discipline, to motives of ambition, of family resentment, of a fascinating persuasion, of a zeal for that prerogative, which he had, doubtless, learned immeasurably to value.

How he was received by the Jesuits and other regulars, I have not found: but, probably, as his appointment was distressful to the clergy whom, as has been related, they did not cordially love, and to the chapter particularly, whose jurisdiction they professed to vilify, we may be allowed to think, that it was to them a cause of some triumph. To say that they advised, or urged, the decision of Rome, I am not authorised; for history is silent, and their own *relation* furnishes no documents.

The opposition which Parliament had made to the power of dispensation exercised by the king, did not abate his resolution, or make him cast one serious reflection on the cause of
the

Further proceedings of the king.

the evils that overwhelmed his father. Collision warmed his zeal. He had dispensed with the laws; and he was determined that authority should sanction the measure; for we can hardly believe that twelve judges could have been found of the king's opinion, if some extraordinary influence had not been used to seduce their judgments. Men were employed to shew, *that a power in the king to dispense with law, was law*; and the judges, one excepted, in the case of Sir Edward Hales, an unqualified Catholic gentleman, gave the same decision in four distinct propositions.*

Nothing, but the popular prejudice, now stood in the way of the Catholics, and they began publicly to open chapels, and to establish schools.—Five Catholic noblemen were admitted into the privy-council.—The clergy were forbidden to preach on points of controversy, that animosities among the people might cease; but the inhibition not being complied with, a court of *ecclesiastical commission* was erected, that dreadful engine which can bring the thoughts and consciences of men to its bar. The members of it were all Protestants; but Jefferies the lord chancellor, and secretary Sunderland, were two of those members. It had been first, I believe,

* Dodd, p. 416. Rapin, p. 755.

believe, established by Henry VIII. and was afterwards used as the legal organ of the royal supremacy.—James himself attempted to make profelytes, and he succeeded in the earl of Sunderland; on Rochester and others he made little impression. Colonel Kirk, it is said, was also spoken to, when he replied; “He was pre-
 “engaged; for he had promised the king of
 “Morocco, that, if he changed his religion, he
 “would turn Mahometan.”* The earl of Castlemain was sent ambassador extraordinary to Rome.†

In such measures as these was spent the second year of James’s reign, 1686, which only enthusiasts

* Rapin, p. 756. Burnet, p. 683, 684.

† The object of this embassy, which took place at the beginning of the year, is not distinctly known: but it appears, principally, to have been to prepare the way for a *declaration of submission*, in the king and the realm, to the apostolic see.—I have before me, in Italian, a pompous detail of the embassy, beginning with his excellence’s departure from Greenwich, in February 1686, and closing with the magnificent audience of his holiness, after a residence in Rome, dignified by every attestation of respect, of fifteen months. It was written by one of his lordship’s attendants, who, captivated with the pageantry of shews and entertainments, has hardly recorded a fact that merits remembrance; and from whom no document can be collected that may lead the historian into the real design or motive of that imprudent transaction. That lord Castlemain was not cordially received by his holiness, and what was some part of his commission, will be seen in their place.

enthusiasts could applaud, and which the moderate and the wise among the Catholics, without the spirit of divination, saw must shortly issue in some fatal catastrophe.

But, in the succeeding year, the same course was held.—Desirous of strengthening his measures by the goodwill of the Non-conformists, the king now published a *declaration* for liberty of conscience, “making no doubt, he says, of the concurrence of both houses of Parliament, when he shall think it convenient for them to meet.” The *declaration* states, that his subjects of the church of England shall be maintained in the free exercise of their religion, and in the full enjoyment of their possessions; that it is his royal will, all penal laws, enacted on the score of religion, be immediately suspended; that, in no meetings held for religious service, any thing be preached or taught, which may tend to alienate the hearts of the people from him, or his government; that, to the end he may not be deprived of the services of any of his subjects, he again declares that the several oaths, tests, and declarations shall be taken or subscribed by no persons, who are or shall be employed in any office, or trust, civil or military, under him or his government.*

Though

* Dodd, p. 418.

Though the royal intention, in this arbitrary act, could be concealed from no one; yet did the Protestant dissenters, whom a series of rigour had long oppressed, declare their approbation; and addresses of thanks were presented from their various societies. The church, in fullen resignation, submitted; for they had too strongly promulgated the doctrines of non-resistance, to depart so soon from them; nor could they justly blame, however much it might provoke their laughter, that excess of loyalty manifested, on the occasion, by the Dissenters, of which themselves had given such glaring instances. "So true is it," it has been observed, "that the two parties neither did then, nor yet do, follow, on all occasions, *their own principles*, with relation to the royal power, which they extend or contract, as the king is more or less favourable to them."

The Catholics received the indulgence, as it was meant, and turned it to advantage in opening other chapels, and spreading, by books and sermons, the principles of their faith. And as the persuasive charm of royal favour now patronised that faith, it will not appear surprising, if, in the eyes of many, it should have lost much of its former features. The king, at the same time, provided himself with Catholic chaplains, men of learning and probity, whose sermons were made public; while others were encouraged, by every

every effort, to attempt to reconcile the differences of the two religions, and to justify that of Rome. Many valuable works, it must be allowed, were published; but which were powerfully opposed by several eminent writers of the English church. Great was the waste of words, if, from these controversies, the cause of christian truth received no benefit.

His majesty's *visitatorial* and *dispensing* power, were next extended to the universities, wherein as yet his religion had no commanding interest; and the histories of the times record two signal attempts made by him, to set aside established statutes, and to force his creatures into the colleges, first of Cambridge and then of Oxford. The resistance of the fellows, though, in part, successful, to the royal mandates and the injunctions of the ecclesiastical commissioners, deserved much praise; for so bent was the king on the measure of appointing a man of his own choice to the presidentship of Magdalen, that he went himself to Oxford, threatening the refractory members, "that they should feel the weight of " his hand," if they refused compliance. They did refuse, and were expelled.*

Unable to conquer the firmness of the members of the lower house, on whom, for many months, every art of seduction it appears, had been

* Rapin, p. 759. Dodd, p. 424, 425.

been exhausted, James indignantly dissolved them on the second of July, after repeated prorogations as I before noticed. And now he was resolved either to have a new Parliament entirely at his devotion, or to govern, as he had done, by his own sovereign controul. *Quo warrantoes* were issued against several corporations, that such new charters might be granted, as would make him master of their elections: Emissaries were sent into the counties and towns, with instructions to gain the people, by arguments, promises, menaces: Lord-lieutenants and magistrates were displaced: the king himself made a progress through several counties, stopping in the cities and great towns, to caress by smiles, or by frowns to intimidate, as it might seem expedient. But coldness, if not aversion, every where met him; and he might have seen that the measures of his power were universally odious, as he was soon made sensible that such a parliament, as would second his designs, could not be raised from the people. The aid he principally wanted from a parliament was, their sanction to his own acts in the measures he had taken for liberty of conscience and the suspension of the laws, which shews that, he entertained some doubts of the legality of those measures and of the power he had exercised.

A new scene now struck the eyes of the public.—Lord Castlemain, I have said, had been sent ambassador to the court of Rome, where his reception

The Pope's
nuncio is re-
ceived at
Windfor.

reception, splendidly magnificent, had attested to Europe the pontiff's grateful sentiments. Not to be outdone in piety and princely munificence, the king, therefore, resolved to return the compliment, and, as he had long entertained near his person a secret nuncio from his holiness, now to admit this nuncio to the honour of a public audience at Windsor. The day appointed was the third of July. Ferdinando Dadde (that was the nuncio's name) archbishop of Amasia, among the infidels, habited in his robes, and preceded by a cross-bearer, took his place in the procession, when a train of priests, and monks, and friars, in the dresses of their respective orders, with the sound of musical instruments, began to move. The duke of Grafton, on the refusal of the duke of Somerset to attend, walked by the side of the nuncio; and thus they reached the castle, where the king was ready to receive them.* The multitude, with amazement, viewed this unusual spectacle, at which the prophane smiled, and wise men shook their heads.

Father Petre.

Still more to publish his defiance of national prejudices, James, a few months afterwards, swore into the privy-council the Jesuit, father Edward Petre. He had before made him clerk of the closet; and that he might enjoy a frequent

* Rapin, p. 760. Burnet, p. 716.

frequent and easy access to his conversation; apartments were assigned him within the precincts of the palace. This man, it is said, was the oracle to whom James resorted with implicit faith, and whom he regarded as his political and religious preceptor. Yet Petre was a man of slender abilities, and a scanty proportion of learning; and his spirit, enthusiastic and headlong, rushed upon its objects without discernment, heedless of the obstacles that intervened. He was ignorant of every rule of prudence, and of the most common arts of managing the tempers of men. To his ascendancy over the mind of the king, and of his consort, were ascribed the openness, the precipitancy, the violence of those plans, that I have mentioned, plans which the prudent adherents to his own religion condemned, and which finally proved destructive to the purposes they were meant to serve, and to the interests of the royal family.* But, on this occasion, even the queen disapproved of the elevation of Petre; and by many it has been considered as a master stroke of Sunderland, to bring down ruin on the king's affairs. Sunderland, when we speak of James's advisers, should keep the place that is his due. Unprincipled, and flexible, and of the most dexterous accommodation of manners, he also had acquired

* *History of Political Transactions, &c.* p. 156, by Dr. Somerville.

acquired the confidence of his master; had become, as I have said, a convert to his religion; honoured priests and friars; joined in their consultations; and often prompted, as is justly suspected, the most violent attacks upon the religion and laws of the country. The Jesuit, therefore, and the minister, with views of a different aspect, one to exalt, the other to overthrow, proceeded, hand in hand, to the accomplishment of the great work of Providence, *the reign of liberty.*

The earl of Castlemain, when he went to Rome, had been instructed to petition his holiness, then Innocent XI. in favour of father Petre; and this he had done by presenting a *memorial*. The manner of doing it, or something in the memorial, gave offence to Innocent, which he ordered his nuncio at London to intimate to the king, and, at the same time, to acquaint him that he could not comply with the prayer of the petition. This was to raise father Petre to the mitre.—His majesty, hurt by this news, wrote a *letter* to the pope, dated from Windsor, June 16, 1687, and countersigned by the earl of *Sunderland*, president of the council. In it he assures Innocent, that his ambassador had no orders to propose any thing that could give occasion of offence, and he begs pardon for any error into which he might, unintentionally,

intentionally, have fallen, by his endeavours to establish a mutual correspondence between the courts. "To preserve this," he says, "as my efforts have never yet been wanting, so never shall they." He expresses much concern, that the promotion of father Petre to the episcopal dignity should be attended with such unexpected difficulties: "For him (whose admirable endowments and whose exalted merits are known to me) I asked that favour the more willingly, because I was aware, with what ardour he had ever served the cause of the church, and of my throne, and that the dignity, I had petitioned for him, would still give more efficacy to those services." He, therefore, repeats his request. But should his holiness, moved by some special reasons, persist in his refusal, he will not, he trusts, reject another request that he shall then make, which will be, that he will be pleased to favour the said Edward Petre with the *hat* of a cardinal, as there have been many instances of persons of his society being raised to that dignity. "So many dangers, so many troubles," he concludes, "have I undergone in support of the Catholic religion; and so immoveably fixed is the purpose of my mind, by every means, to promote its increase and glory, that I am

Z 2

"induced

“ induced to ask this favour, and I am persuaded, it will not be refused to me.”*

It is not known for what see father Petre was designed; but had the pope complied with his request, as that of York was vacant, it has been plausibly conjectured, it was James’s intention to have promoted him to that elevated station.

Innocent soon replied to the king’s letter. In his reply he first speaks of his own extraordinary regard for him, of the many things James had done, and still continued to do, (*immortali cum nominis tui laude*) for the welfare of religion and the tranquillity of the church, so that no event could give him so much pain as the smallest diminution of their mutual love. He then takes notice, as he had before done to the nuncio, of the vehemence of Lord Castlemain’s memorial, from which he utterly exculpates his majesty, and he pardons the earl’s transports. But as for promoting Edward Petre to either of the dignities, so earnestly requested, his holiness feels regret it has been so urged, because he cannot, *tuta conscientia*, comply. “ And “ as we are convinced,” he goes on, “ that “ your majesty, in all your thoughts and ac-
“ tions,

* Letter of king James, Dodd, p. 533.

“ tions, alone pursues the glory of God and his
 “ church, for which you have magnanimously
 “ exposed to danger your kingdom and your-
 “ self, we cannot think you will any further
 “ insist on a matter, which, if granted, would
 “ reflect on your majesty’s fame.” For further
 satisfaction on this head he refers him to the
 Nuncio.—The letter is dated from Rome, the
 16th of August.*

James was not so easily to be moved from his purpose; wherefore he again addressed the pontiff.—He expresses his joy at the good opinion entertained by his holiness, of his devotedness to the apostolic see, and his firm resolution, by every effort, to extend the boundaries of the Catholic faith: “ of all which,” he says, “ I will daily strive, by new proofs, to
 “ give a more complete evidence to the world.” He, reluctantly, on the strong expressions of his holiness, drops his first petition in favour of father Petre; but renews more earnestly his supplication for the purple, and concludes, in many words, with extolling the *insignia merita* of the man, which, when duly weighed, he flatters himself, will remove every obstacle to his promotion.†—This letter is dated from Wind-

* *Letter of Pope Innocent*, Dodd, p. 511.

† *King James’s Answer*, Dodd, p. 512.

for, September 24, and countersigned *Sunderland*.

The pontiff again answered, on the 22d of November, that as he desired nothing so much, as signal occasions of gratifying his majesty, whose merits he ever had in view, and which merits exceeded all his powers of compensation; so it was peculiarly painful to him, when impediments intervened that irresistibly obstructed all compliance with his wishes. Such were the impediments, he says, that stood in the way of Edward Petre, and of which the king may be informed from the nuncio. "And so highly," he adds, "do we think of your majesty's piety, " as to be satisfied that you will be convinced, " my resolution, on this point, is directed to " the greater glory of God."*

Still James persevered,—He had been informed, he says, that it had been stated to his holiness, that father Petre was ambitious, and that he had himself urged, by incessant entreaties, this application for the purple. He refutes this charge, as a groundless misrepresentation. "The reverend father," he adds, "has religion alone in view; and I am sure, that his " promotion will contribute much to its pro- " pagation and enlargement. He feels no " cupidity

* Innocent's Reply, Dodd, p. 512.

“ cupidity for the sacred purple; nor do I believe there is a man less influenced by ambition: therefore it was, that I so earnestly entreated your holiness, to grant me the request I made.” Having removed all objections, and again stated his motives, he expresses an ardent hope that the way may be now cleared to the completion of his wishes: “ I have repeatedly,” he concludes, “ asked the favour, and still presume to expect that, out of your holiness’s paternal love towards me and my kingdom, it will not be refused me.”*—The *letter* is dated from Whitehall, 22d of December, and countersigned *Sunderland*.

The determination of Innocent was fixed; in a last *letter*, therefore, dated February 14, of the ensuing year 1688, he acquaints the king, that he is most willing to clear father Petre from the charge of *ambition*, on his majesty’s assurance, and that he entertains an high opinion of his virtue and his deserts; but that there had been, and still were, such difficulties in the way of his promotion, that to comply with his majesty’s wishes was impossible. These difficulties, he observes, he had more than once explained to the king, through his own ministers at Rome, and by the nuncio in London. He concludes: “ And
“ viewing

* *Letter of King James, Dodd, p. 513.*

“ viewing those religious sentiments, of which
 “ your majesty has given, and still continues to
 “ give, such signal proofs, I have reason to
 “ trust that my resolution thus deliberately
 “ taken will be well received by you. And
 “ may heaven, with our apostolical benedic-
 “ tion, grant an extension of the Catholic reli-
 “ gion in those flourishing regions of which you
 “ are lord, and to your majesty an uninter-
 “ rupted series of happiness and success!”*

Father Petre's dream of greatness thus closed.
 What were the secret motives of Innocent's
 resolute conduct, or the difficulties which he had
 explained to the nuncio, but which he was not
 willing, it seems, to commit to writing, have not
 transpired. The historian, therefore, is left to
 conjecture. To the apprehension of the king,
 they, probably, appeared light, or he would
 hardly have persisted in his application: but
 neither does he mention them, or attempt their
 solution, in his letters. The charge of ambi-
 tion he alone instances. He intimates, indeed,
 in the first, and repeats it in the second letter,
 that the pontiff, perhaps, was influenced by
 some *preformed* resolution (*consilium aliquod olim*
captum): but this remains equally unexplained.

Innocent

* *Innocent's Answer*, Dodd, p. 513.

Innocent, it is known, was no friend to the Jesuits, who, on account of some measures he had taken against them, in the first year of his pontificate, denounced him as a Jansenist, and ordered prayers for his conversion.* It might be some dislike of the society, or rather, I think, it was some more preponderating motive that could render the pontiff so obdurate to the warm entreaties of the king.

I should have noticed in its place, but a crowd of other matter intervened, that Dr. Giffard, on the 22d of April of this year, was made a second *apostolic vicar*, under what recommendation, or upon what new view of things, I know not. He was of the Giffards of Wolverhampton, a man of some learning, and of many amiable and christian virtues, and whom the king had lately chosen to be one of his chaplains and preachers.† The reader will also recollect that, when the first news came of Mr. Leyburn's appointment, Dr. Giffard accompanied the dean of the chapter to Whitehall to remonstrate against the measure, and against the very title of *vicar apostolic*, with which he now deemed it an honour, or a duty, to permit himself to be invested.

Dr. Giffard
made an apo-
stolic vicar.

* Hist. Eccle. an. 1676. † Dodd, p. 469.

vested. His title was *Episcopus Madaurensis*. It might be the real, or apparent, encrease of catholicity, that called, probably, for this accession to the mitre.

The last year
of king James.

We are come to the last months of James, the beginning of the year 1688.;

Though he had advanced with wonderful rapidity, which little contradiction thwarted, to the accomplishment of his design, and, doubtless, with some success, yet neither the rapidity nor success kept pace with his desires. On this he published a second *declaration for liberty of conscience*, dated the 27th of April, of which the sentiments are admirable, founded on views of the justest policy, and the clearest deductions of reason. Speaking of the main object of the *declaration*, the king says: “ We have resolved to
 “ use our utmost endeavours to establish liberty
 “ of conscience, on such just and equal found-
 “ dations, as will render it unalterable, and se-
 “ cure to all people the free exercise of their
 “ religion for ever; by which future ages may
 “ reap the benefit, of what is so undoubtedly
 “ for the general good of the whole kingdom.
 “ It is such a security we desire, without the
 “ burthen and constraint of oaths and tests,
 “ which have been unhappily made by some
 “ governments, but could never support any:
 “ nor

“ nor should men be advanced by such means
 “ to offices and employments, which ought to
 “ be the reward of services, fidelity, and
 “ merit.”*—Nothing was ever more true; and
 had the sanction of the legislature, and not the
 royal will alone, established the venerable doc-
 trine, the blessings of future ages had reposed
 on their memories. Let some praise, therefore,
 be given to the man, in whose breast such just
 discernment could dwell, though the tendency
 of his real views might be partial, and his
 means of conduct arbitrary.

Not satisfied with publishing this *declaration*,
 the king issued an order of council, enjoining
 the bishops to distribute it through their dio-
 ceses, that it might be read, on certain days,
 in all churches and chapels. What was the
 conduct of the prelates, on this trying occa-
 sion, is well known. Seven of them petitioned
 the king, to be excused from distributing the
 declaration, “ among many other considera-
 “ tions,” they say, “ from this especially, be-
 “ cause the declaration is founded upon such a
 “ *dispensing power*, as hath often been declared
 “ illegal in parliament, and particularly in
 “ the years 1662, and 1672, and in the be-
 “ ginning

* Rapin, p. 762.

“ginning of your majesty’s reign.”—They were summoned before the council; were committed to the tower; were tried in the court of *King’s Bench*, on the 29th of June, for having uttered a *seditious libel*, for such their *petition* was styled; and were acquitted, amidst the shouts and loudest acclamations of the cities of London and Westminster.

Now, for the first time, the king beheld the precipice, to which he had been gradually approaching, and when to recede or advance seemed equally full of danger. He tried the army and the navy, and both, he saw, were disaffected, in spite of the Catholic officers to whom he had given commands.—Churchmen and Presbyterians united for their common security: Whigs and Tories were reconciled; and James received advice that a secret design was forming against his throne.—In consternation he consulted the bishops, what, in this emergency, was best to be done; and though the advice they gave, in an earlier stage of the business, might have saved the crown, it was now too late. The prince of Orange landed on the 5th of November, and the king, after a variety of events, abandoned by his friends, insulted by his enemies, finally withdrew to St. Germain’s.

I must

I must now observe that, in the preceding May, two more *apostolic vicars* had been appointed, father Ellis, of the order of St. Bennet, and Dr. James Smith.—Ellis was a chaplain and preacher to the king, and was consecrated at St. James's on the 6th of May, with the title of *Episcopus Aureliopolitamus*.*—Dr. Smith, at the time of his promotion, had been nearly six years president of the college in Douay; and it was, we are told, at the recommendation of Catherine, the dowager queen, who had become acquainted with his character, that he was raised to the episcopal office. The Catholic clergy had long considered him as a fast friend to their cause. He was consecrated in Somers' house, where the queen dowager resided, May the 23d, with the title of *Episcopus Callipoliensis*.†

Two more
apostolic
vicars ap-
pointed.

The kingdom was now divided into four districts. Bishop Leyburn resided in London, or the south; Dr. Smith went to the north; father Ellis to the western counties; and Dr. Giffard to those more inland. Of the last gentleman it may be remarked, that, on the death of Dr. Parker, the *royal* president of Magdalen college, he also, by virtue of the king's mandate, was admitted to the office, March 13, whence,

* Dodd, p. 467. † Ibid. p. 468.

whence, after a few months, he was displaced by the same arbitrary authority. On each of the vicars, agreeably to the first arrangement, was settled by the king, a salary of one thousand pounds *per ann.* payable from the exchequer, with a gratuity of five hundred pounds.* Before they departed to their respective stations, they addressed a *pastoral letter* to the laity of their communion, which breathes an admirable spirit of benevolence and wisdom, conveyed in a style of elegant simplicity. But this settlement, however inoffensive in itself, was not well received by the public, at a time when their ill-humour was afloat, and when much provocation, as I have shewn, had been given: wherefore, the bishops in the last advice which, on his requisition, they gave to the king, among other things, recommended, “ That the four foreign
 “ bishops, who styled themselves *vicars apostolical*,
 “ be inhibited from farther invading the ec-
 “ clesiastical jurisdiction, which, by law, was
 “ vested in the bishops of the church of Eng-
 “ land.”††

* Dodd, p. 468.

† Rapin, p. 772.

‡ The reader who wishes to see an apology for many of the acts of this unfortunate monarch, may consult the *history* of
 father

father Orleans, who drew his information from the mouth of the prince himself, with whom, he says, he conversed at St. Germain's as long as he could wish.—In an interview, at the same place, with Sir Edward Hales, mentioned by Dodd, p. 421; James owned, “that he came out of England by going too fast;” and hearkening to some Catholics, whom Sunderland made use of for his own ends.”

The *relation of the regulars*, which had been long silent, thus speaks of the reign of James: “To Charles succeeded that most pious and ever to be remembered Catholic king, James II. in whose reign, the cause of the innocent faithful, which had long been oppressed, began to revive a little. For he, worthy of eternal praise, made that cause his own, and, from the beginning of his reign, was occupied with the care of establishing it. He was willing, he was ardently desirous; he even commanded the public exercise of the true religion, for the general good, and to the general joy; and in some cities he established colleges and seminaries. He permitted priests, secular and regular, to frequent the palace: he procured the consecration of four bishops in the royal chapel; and for them, as *vicars apostolic*, he divided the realm into four districts, that each might severally govern the priesthood and the flock.”

“This measure, though every where applauded by good men, the heretical bishops only, and the primate of Canterbury, and other Protestants, indignantly reprobated: and the same primate, with eight other bishops of his own stamp, dared to appeal to his majesty and wickedly to insinuate, that the government of the provinces ought to be administered, agreeably to the pretended laws of the country, the Catholics to be ejected from their employments, their schools to be suppressed, and the vicars apostolic to be deprived of their jurisdiction. Not yet satisfied, they even pleaded for the liberty to persuade the king (horrible to utter!) to embrace
“the

“ the tenets of the English reformation. But that invincible
“ monarch, whom deceit and malice could drive from his
“ throne, was here unconquerable; and he preferred rather to
“ withdraw to another land, than to lose that kingdom which
“ exceeds realms and worldly treasures, committing himself
“ and the prince his son to the care of that Being, in whose
“ cause he had so gloriously suffered.”

From

*From the appointment of vicars apostolic in the reign of
James II. to the present year, 1793.*

THE reflections full of anxiety and foreboding alarms, that agitated the minds of the Catholics, I need not describe, when they beheld the retreat of king James, and the maze of difficulties into which his enthusiastic zeal, and the imprudent counsel of their friends, had precipitated them. The popular resentment, as he retired, had risen; and had destroyed their chapels in London and in other places. They contemplated the progress of the *Revolution*, proceeding in a firm and uniform course, that argued the capacity of the managers and their

The Revolution not unfavourable to the Catholics.

A a

unvarying

unvarying purpose, through a succession of awful acts, to some great and final issue. Nor was it long, before this issue became manifest, by the settlement of the crown, the solemn declaration of *rights* that accompanied it, and in those rights by the sanction of that eternal principle—that *all power is a voluntary delegation from the people, to be exercised for their good by them to whom its exercise is entrusted.*

The evils which the Catholics had apprehended, did not befall them; and after the first ferment was over, and the people saw that, with the flight of their late king, every measure of his administration was annihilated, had the Catholic party been disposed cordially to accede to the new settlement, they would have had little to suffer from a prince who was never accused of bigotry in religion, and whose great ambition it was, from motives of personal aggrandisement, not to weaken by disunion, but by union to invigorate the arm of government. But the minds of Catholics, at that period, like the minds of many of their fellow-citizens, were so obsessed with the conviction, “that the power
“ of kings was derived from heaven, and that
“ the sacred institution, therefore, was palpably violated in the person of the late monarch,” that they could not abandon his right to the English throne, or even be contented passively to submit to him, whom the
nation

nation had chosen to be their governor. The beauty, therefore, the sublimity, the truth of those principles they were unable to comprehend, that the Revolution had consecrated, and which, when a few years more should be elapsed, their descendents would learn to revere and to cherish, as the Palladium whereby all that is dear and valuable in life can alone be maintained.

The reader, through the preceding reigns, has seen, from what causes, the Catholics were discountenanced and often punished with extreme severity, while the popular hatred against their religion grew, and from motives of policy, was, sometimes, encouraged: but, from this time, though the prejudice of the multitude remained, their governors saw in them a party *politically* disaffected, forming a branch of the great Jacobitical faction, and as such to be discountenanced and repressed. Some laws, it is true, in the first, and in other years of William and Mary, passed against them, but their enactment was owing to particular circumstances, when the exiled king, for instance, meditated some attempt for the recovery of the throne, or when causes of alarm real or imaginary, proceeding from the same quarter, were excited. Had they surrendered their attachment to him they deemed their lawful sovereign, they might have retained

their religion, and have been permitted its practice, in ease and security. But, in the blindness of their loyalty, they so far, even confounded faith and politics, as to deem a departure from either the sin of heresy.

From this time also, their own controversy about the oaths of supremacy and allegiance, which, as we have seen, had long engaged their attention, utterly subsided; for why dispute about oaths, when the very sovereignty of the person was denied, who demanded those tests of fealty? The oaths, themselves, at the Revolution, had been altered; that of *allegiance*, to gratify the scruples of the adherents to hereditary right; that of *supremacy*, to ease the consciences of the Protestant Dissenters. The *present* difficulties of the Catholics were removed by neither change; otherwise they would have acknowledged, that the first oath was cleared from every objection, and that the second was less complicated, being relieved from the whole *affirmative* clause.

Government
of the Vicars
Apostolic.

The vicars apostolic, I have said, had repaired to their respective districts, little foreseeing the event that was soon to happen, and which, depriving them of the royal favour and of other benefits they might look to, would, at once, cut off their ample means of subsistence,
and

and reduce them to penury or the dependence of a precarious maintenance.—Bishop Leyburn was first committed to the Tower; but, on the assurance of his peaceful and inoffensive character, was soon afterwards released: and as his behaviour continued to be irreproachable, occupying himself in the discharge of his pastoral duties, he experienced little molestation from government, and temporary alarms soon subsided. It was only required that his place of abode should not be concealed.*—Dr. Giffard also had been apprehended; but he met with the same gentle treatment, as his unoffending conduct equally merited.†——Dr. Smith retired from York to a gentleman's seat in the country, where he lived in great estimation, practising the virtues, it is related, of the primitive ages.‡——Father Ellis alone, from motives of fear, or from attachment to his royal master, retired with him to St. Germain's, which he afterwards quitted, and obtained a bishopric in Italy.||

The mode of government, which these gentlemen permitted, by their means, to be introduced, was thus established; and has continued. It was an economy, in its obvious nature, most extraordinary and dependent, in which they

* Dodd, vol. iii. p. 467.

† Ibid.

‡ Ibid. p. 469.

|| Ibid. p. 467.

who styled themselves bishops, were but the delegated agents or stewards of another, while that other, the Roman pontiff, was himself the ordinary or immediate bishop of the English Catholic church. This bishop apportioned out to his delegates the *quantum* of jurisdiction, it seemed expedient they should exercise, which he could recal, limit, or modify, as his own will or their conduct might direct. The agents were independent of each other in their respective offices, (which did but more evince the nature of the link that bound them to the Roman chair) "moving equally a-breast," it has been said with some wit, "without any mutual relation, coherence, or order among themselves." Such a state of insubordination had not before been seen in the christian church; where parts combine into unity by a beautiful and just gradation, each part possessed of its proper and essential energy, and one superintending governor cementing, animating, rounding, perfecting the whole. A code of co-ordinate laws, denominated *canons*, had been adapted to this system, whereby each part must be directed, and the whole governed. To the disorganised or rather anomalous state of things, of which I am speaking, no primitive legislation could apply; nor did Rome wish it should be so, "for all canons are thrown out of doors or deemed insignificant,"

"cant,

“cant, when a government comes in that guides
 “itself by the *placita curiæ Romanæ*.”*

The chapter, though sensible of these deformities in the new government, which some of their writers have strongly portrayed, judged it proper, as I have related, for peace sake, to *acquiesce*, when resistance could but generate strife and encrease the evil. Very early, therefore, after the entrance of vicar Leyburn, in a meeting of its members, December 2, 1685, they passed a *resolution*, “That the jurisdiction of the chapter shall be deemed to cease during the exercise of bishop Leyburn’s authority.” But they subjoined the ensuing clause; “unless we perceive such an opposition raised against our authority, as shall manifestly tend to its destruction.”† This they added from a well-grounded apprehension, that Mr. Leyburn had brought with him from Rome private instructions to break down the authority of the chapter, as he should see convenient, it having for many years exercised *ordinary* jurisdiction, *sede vacante*, and still claiming the right, and therefore being the only obstacle, that stood in the way of the paramount controul of the Roman court. In other respects, they submitted with
 the

* *Serjeant’s Papers MS.*

† *MS. Minutes of the General Assembly, held July 9, 1694.*

the *acquiescence* of men to whom concord was most dear, and in whom the love of order preponderated over every view of pre-eminence or power. But though the chapter ceased to act, it did not cease to exist, meeting at stated times, and regulating its own internal concerns.

Thus to the laity, most of whom the infection of Jacobitism had seized, to the clergy, who, by the expulsion of their king, saw all their fond thoughts of preferment and of the exaltation of their church at once dissipated, to the new superiors of that clergy, whom the smiles of Rome must, in future, nourish, and not the more substantial favours of an indulgent court, opened the era of the Revolution. To the historian, who confines his views, it is a barren period; but I will glean what I may be able, principally pursuing, as I have done, the little events of our church-establishment, and with them connecting such incidental materials as may fall in my way.

King James.

When the attempt of James to recover the throne, and who with that intent landed in Ireland, had failed of success, and when some laws, as I have mentioned, of a persecuting tendency, had been enacted against the Catholics, in the first year of William and Mary, nothing more happened till 1693. In this year James meditated a second attempt which a *declaration* was to precede, dated St. Germain's, April 17. It contains

contains many curious clauses, evincing how much the loss of a crown, or rather, perhaps, the hopes of thereby recovering it, could alter the tenour of a mind, habitually bigoted and unbending. He promises, should he be received by the English people, to maintain the Protestant church as by law established! To which concession, it appears, he had been induced by some of the French bishops and by some doctors of the Sorbonne, and which opinion the English divines that were with him acknowledged, *he might in conscience safely follow*, though themselves did not subscribe to it. He promises to leave the *test laws* in full force! The repeal of which, it seems, he now viewed as a matter of mere political consideration, in which conscience had no concern. He promises to repeal all the Irish acts, which he had made in that country while the Catholic parliament sat! He promises, that the army which goes with him into England; shall be new-officered with Protestants, and that his whole court, on the king, the queen, and prince's side, shall be composed of Protestants!*—The sincerity of these promises may be doubted, which the forlorn hope of his situation had, probably, extorted; and in discoursing with Sir Edward Hales on the subject

* *Discourse between James II. and Sir Ed. Hales*, Dodd, p. 421.

subject of the *test*, James made an observation that shews to what his real views tended: “English *Protestants*,” said he, “are very obstinate, if the things, they desire, are not granted; but if complied with, the easiest governed people in the world.”*

Proceedings
of the chapter.

The chapter, from the observation of some years, being now sensible that their plan of *acquiescence* must terminate in their own ruin, if something were not done to avert it, resolved to address the vicars, thereby to rouse them into action, or to learn, if it might be, what their views were. To be jealous of men so influenced in their thoughts, and so directed in their actions, was most natural. An *address*, dated November 16, 1693, was therefore sent to the three resident vicars; and that more attention might be secured to its contents, they accompanied it with a note to Dr. Giffard, in whom they had most confidence, reminding him of his former zeal in the common cause, and entreating his earnest co-operation. The substance of the *address* was:

“That the *dean* and *capitulars* having seriously reflected on the past attempts of their
“adversaries,

* *Discourse between James II. and Sir Ed. Hales*, Dodd, p. 421.

“ adversaries, and of the great interests for-
 “ merly made against them; and now foresee-
 “ ing, that, whenever providence shall take
 “ their present superiors away, most probably
 “ they should have those set over them, whom
 “ their *adversaries* should recommend, as having
 “ the power of *courts* to favour them; whereby
 “ a gate would be opened for all that mischief
 “ to enter in, which has been designed for
 “ many years; whence, by submitting, they
 “ must consent to their own ruin, or else, by
 “ standing on the defensive, run the hazard of
 “ great disorders, if not of schism:—Where-
 “ fore, they beseech them to take these things
 “ into their most serious consideration, and
 “ make some provision to prevent the evil;
 “ and therefore, since the chapter was erected
 “ and confirmed by two learned and pious
 “ bishops, with the advice of divers prelates
 “ and learned doctors, and with this express
 “ clause, that it should endure *until many bishops*
 “ *being appointed in England, many chapters should be*
 “ *erected*; that they would either please to erect,
 “ in each respective district, *chapters* to succeed
 “ with *ordinary* jurisdiction; or else conclude on
 “ some means whereby may be secured to the
 “ present chapter its rights and privileges of *or-*
 “ *dinary* jurisdiction, nomination of successive
 “ bishops, &c. *sede vacante*, as bequeathed to it;
 “ for thus it was left as absolutely necessary for
 “ the well-being and preservation of the body;
 “ nor

“ nor can they lay it down without forfeiting
 “ that trust reposed in them, being false to
 “ their body, and to the oath they have taken
 “ for its support, and also injurious to the me-
 “ mory and the whole proceedings of those
 “ venerable prelates.”*—It is signed by Dr.
 Perrot, the dean and nine members, among
 whom is the Rev. *John Gother*.†

The Vicars answered: “ That, as to the
 “ first point, the *erecling of chapters*, they should
 “ be willing to comply, were the thing possible
 “ to be done; but, according to the present
 “ discipline, chapters will not be allowed,
 “ without leave and a confirmation from
 “ Rome; for though they did not disown a
 “ *power of doing it in themselves, as having ordinary*
 “ *jurisdiction*, upon which the former bishops
 “ grounded themselves; yet, as the practice is,
 “ they cannot do it, and that, whenever done,
 “ it will not otherwise be effected, than by the
 “ interposition of the king (James), which, at
 “ any time, would be ungrateful to the apostolic
 “ see, and now peculiarly unseasonable for his
 “ majesty to propose.—As to the second point,
 “ the *present chapter*, they would, according to
 “ the authority of all bishops, leave at their
 “ decease,

* *Transact.* p. 81. Also MS. copy of the original minutes.

† I make no comments on a name that is written on the tablet of all our hearts.

“ decease, a vicar general with faculties for ex-
 “ traordinaries, for a *limited time*, during which
 “ if a new bishop were not appointed, then
 “ they would not, by any act, prejudice the
 “ chapter, which might proceed as it thought
 “ proper.—Finally, that the *nomination* of bi-
 “ shops was in the king (James), of whose
 “ goodness they had no reason to doubt, and
 “ to whom they might, with all freedom, make
 “ their applications; and that they, most
 “ assuredly, would not prejudice his right.”*

This answer, unsatisfactory and ambiguous,
 drew from Mr. Ward, the secretary of the
 chapter, a treatise written with great force,
 wherein he proves first the *necessity* of ordinary
 jurisdiction, *sede vacante*, residing somewhere,
 call it a *chapter*, a *council*, or what you please, as in
 all churches in general, so more especially in
 the Catholic church of England.—2dly, that
 this is not *inconsistent* with either a delegated epis-
 copal jurisdiction, or with the added title of
vicar apostolic.—3dly, that the *present chapter* is still
 the heir apparent of this *ordinary jurisdiction*, un-
 til each of the present vicars shall erect or pro-
 cure to be erected a chapter or something equi-
 valent in each district, in which may reside the
 ordinary

* *Transact.* p. 81. Also MS. copy of the *original minutes*.

ordinary jurisdiction after their deaths, *sede vacante*.—4thly, that the present vicars, unless they can procure such succession of ordinary episcopal jurisdiction *sede vacante*, as has been expressed, ought, at their respective deceases, to leave the present chapter, as they found it.*

But Mr. Serjeant, irritated by that expression in the answer, whereby the vicars insinuated that they possessed *ordinary jurisdiction* in the sense it was possessed by the two bishops of Chalcedon, with his usual fire and acuteness combated that assertion in a short *tract*, wherein he shews, by deductions from reason, and from facts antecedent to, concomitant with, and subsequent to the appointment of Mr. Leyburn, that the vicars could pretend to no *ordinary* powers, that they were *mere* delegates, stewards of the Roman bishop, amenable to his will, dependent on his beck. “As certain as it is,” says he, “that bishops can erect chapters in
“ their own cities and dioceses, (which all the
“ world knows is most certain) so certain it is
“ (if the words of the vicars were really
“ meant), that they have power to do the
“ same; and yet they must not, or dare not,
“ do it, for fear of disgusting those very persons
“ that gave them this power. This is
“ strangely

* MS. Papers by John Ward.

“strangely mysterious: They have power
 “given them under their hands to do this,
 “and all power is essentially ordained for ac-
 “tion; and yet this power is not to act, and
 “therefore, in effect, is *no power*, but is *disabled*
 “from acting, which it could not be, but by a
 “superior power. And what power can that
 “be, but its opposite power, the *extraordinary*
 “power? Wherefore the extraordinary or *hu-*
 “*man* is the commanding and over-powering
 “power, and the *ordinary* (which is of divine
 “institution) is the poor, weak, subservient
 “power, and must not disobey it; that is, the
 “divine power has no power at all, but what
 “the human will allow it: For the world
 “agrees, that the *ordinary* power is *divine*, and
 “the *extraordinary* human.”*

The vicars, it is known, did but boast when
 they made the assertion; for had their power
 been the same as that which erected the chap-
 ter, (the canonical existence of which they did
 not dare to controvert) what secret apprehen-
 sion of displeasing Rome or St. Germain's was
 to impede its exercise? Let it also be remem-
 bered, that these vicars, a few years before, had
 been members of the chapter, and strenuous
 advocates

* MS. Papers by John Serjeant.

advocates of all its claims. But they now very pertinently observed, that any attempt to establish or introduce an *ordinary* authority would, at all times, “be ungrateful to the Roman see.” This caused the pause, and harassed all their wishes, which, at first, I doubt not, were not directly unfavourable to the desires of the clergy. John Serjeant, however, very shrewdly observed, “that if the extraordinary power
 “were permitted to get in a finger, ways
 “would be found afterwards to bring in its
 “whole body.”

Under this impression, for Serjeant was now the soul of their exertions, the chapter, the following year, met in general assembly, and having, in their first sessions, passed some internal regulations necessary to strengthen their present independence and future permanence, they proceeded to the business of a second *address* to the vicars, which was prepared and read. It stated;

“That, whereas, in their answer to the
 “*address* of the last year, the vicars had declared
 “that, notwithstanding their *ordinary power*
 “of erecting chapters, they will not be allowed
 “without leave and confirmation from the see
 “apostolic, and that, therefore, according to
 “the present discipline and practice, they
 “could not do it: The assembly, without a
 “deep

“ deep sense of grief, cannot but represent to
 “ them, the ill effects that must necessarily fol-
 “ low in the respective vacancies, (and how
 “ long they may continue no one knows) they
 “ must leave at their deaths. The evils are,
 “ that, without a *standing ordinary jurisdiction*, this
 “ cannot properly be called a *church*; that it
 “ will be destitute of all the advantages which
 “ such jurisdiction brings with it; that it will
 “ be without order, exposed to the encroach-
 “ ments of adversaries, and the flowing in of
 “ foreigners; that the laity will be deprived
 “ of the sacrament of confirmation, which, in
 “ the vacancy of sees, cannot be administered
 “ without faculties from the standing ordinary
 “ jurisdiction, &c.—For the prevention of these
 “ and other evils, that their predecessors insti-
 “ tuted a chapter for the continuance of *ordi-*
 “ *nary episcopal jurisdiction, sede vacante*, to endure
 “ *donec pluribus in Anglia episcopis Catholicis constitutis,*
 “ *plura in Anglia erigantur capitula*; and therefore,
 “ unless this present chapter be supported, or
 “ others erected, those dangerous mischiefs
 “ must fall on the clergy and laity.

“ It is well known,” they proceed, “ that
 “ we were, divers times, forbidden by king
 “ Charles II. and his chief ministers ever to
 “ accept of a vicar apostolic, as a title and
 “ authority understood to be contrary to the
 “ ancient laws of this nation, and exposing

“ English subjects to the danger of a *Præmunire*,
 “ and exclusion from the king’s protection.
 “ Moreover, it is well known to you, what re-
 “ monstrances we made to king James II. for
 “ preventing the admission of such a title and
 “ authority; and what good intentions he ex-
 “ pressed for the obtaining an absolute ordi-
 “ nary for us. And finally, it ought also, as
 “ we humbly conceive, to be considered in
 “ what danger we still lie from the said laws,
 “ having a prince upon the throne not of our
 “ religion, and who we may justly fear, may
 “ be easily persuaded to the execution of
 “ them.”

“ This being the state of things, that,
 “ therefore, the dean and chapter of the Eng-
 “ lish Catholic clergy now assembled, do, with
 “ all due respect, supplicate the vicars apo-
 “ stolic effectually to solicit the Roman see for
 “ the establishment of such a succession of *ordi-*
 “ *nary episcopal jurisdiction*, so necessary to this
 “ country above all others.” “ Or if you
 “ shall think fit,” they conclude, “ to accept
 “ of our concurrence also therein; we shall de-
 “ pute such members to attend you from time
 “ to time, as may be proper for the carrying
 “ on, and accomplishing so good a work”*
 Dated July 13, 1694.

The

* MS. Copy of the proceedings and acts of the chapter, July 13, 1694.

The dean, Mr. Ward the secretary, and Mr. Gother were deputed to wait on the vicars Leyburn and Giffard, who were in London, with this address.

The vicars answered: " That the *petition* of
 " the assembly was most *reasonable*, and that such
 " a supplication could not be offensive to the
 " *see of Rome*, and that they would promote it,
 " *when it should be judged a convenient time.*"*

This convenient time never came. Even there are reasons for concluding that, during these very transactions, the vicars were meditating the utter suspension of all the powers of the chapter by a formal decree from Rome.

The English monks of the order of St. Bennet claimed peculiar privileges under the decrees of popes, and among them even a *capitular ordinary jurisdiction* in various provinces, which ceased not, they maintained, after the introduction of vicars apostolic. And it was this claim, it seems, that all along had rendered them so refractory to the jurisdiction of the chapter. The vicars complained to Rome, entreating the abrogation of a claim, which so obviously stood in the way of their spiritual admi-

Its jurisdiction
 suspended.

* Transact. p. 84.

nistration.—The other regulars, at the same time, in virtue of their respective immunities, pleaded an exemption from the same vicarial powers, and owned no obedience to them. Here was just matter for further complaints, which the vicars also carried to Rome, supplicating that all the regulars, in parochial concerns, be subjected to their controul.*

No mention is here made of the secular clergy or of their chapter.—It must also be noticed, that it was precisely of these exemptions that the last bishop of Chalcedon had complained; that to maintain them the regulars had resisted; and that the court of Rome, long importuned on the subject, had finally pronounced judgment in their favour: “Let all and every
“ of the missionaries,” it had said, “use their
“ *privileges* and faculties, as they enjoyed them
“ before these controversies.”† But then (and here lay the bitter provocation) the bishop of Chalcedon strove to remedy the abuse by *his own episcopal* authority; and when he called on Rome to aid him, it was under the signature of *ordinarius Angliæ & Scotiæ*. The vicars pretend to no such power, assume no such title: they humbly implore, and Rome resolves to support its delegates, that is, to support its own prerogative, though,

* *Two letters of the vicars*, Dodd, p. 528, 529.

† *Brief Britannia*, Dodd, p. 17, 158.

though, by the act, the decrees of former pontiffs, in the case both of the benedictines and the regulars, must be suspended.

Innocent, the 12th of the name, ordered a special congregation to meet, before whom he laid the supplications of his vicars. They discussed the subject, and *decreed*, in regard to the first point: "That, by the deputation of vicars apostolic into England, all jurisdiction whatsoever of *chapters*, as well *secular* as *regular*, of all the churches of that said kingdom, *did cease* and *doth cease*;—but yet only while their deputation or that of others so deputed, at any time, by the apostolic see, shall last: *and not otherwise*."*—On the second point, they *decreed*; "That regulars, those of the society, monks, and all others, be subject, in all parochial duties, to the vicars apostolic in whose districts they may be placed."†—The decrees are dated October 6, 1695; and the pontiff, in the following year, confirmed them by an apostolic sanction, dated October 6, 1696.†

* *Decreta*, Dodd, p. 529. † *Ibid*.

† Having stated the cruel condition to which the Catholics were once more reduced, by the expulsion of their king, their most loving father James, and the new laws then made against them, the *relation of the regulars* proceeds to say, "That, from the appointment of vicars apostolic that internal tranquillity

Whether the vicars, under hand, had urged the general decree; or whether the Roman court, availing itself of the fortunate occasion, involved spontaneously the chapter of the clergy in the same suspensive clause, is not distinctly ascertained. This, however, they have ascertained, that, by declaring the jurisdiction of the chapter to cease so long as there shall be apostolic

“ had not arisen, which unexperienced men had expected; “ that, in 1694, a George Witham was deputed to Rome with “ complaints against the benedictines and regulars, (above- “ mentioned); that he obtained two favourable decrees, the “ regulars not being heard in their defence, and a single ad- “ vocate only having spoken in the cause of the benedictines; “ that while these things were secretly transacted at Rome, it “ began to be rumoured at home, that the vicars were devising “ something against the regulars, under the specious pretext of “ their disobedience; that the superiors of the regulars, there- “ fore, determined to write to the sacred congregation, and “ imagining that the business would not be terminated so soon “ or without their privity, that they, in general terms, exhibited “ many things against the pretended jurisdiction of the vicars “ over the regulars; that they finally urged the expediency of “ delay, that their agents might be sent to Rome, to represent “ the state of religion in England.—That, notwithstanding, “ the matter rested here, either because the vicars themselves “ were desirous to persuade the regulars, that they designed no “ innovation, or they were cautioned by others, lest should “ the subject be again discussed in the congregation, and their “ misrepresentations be detected, there would be an end of all “ their consequence, since nothing could be more evident than “ that the decree, they had procured, was not adopted to the state “ of the English mission.” “ This, at least, must be admitted,” they conclude, “ that the vicars studiously concealed their de- “ crec,

apostolic vicars, *and not otherwise*, they have fancioned its *canonical* existence; have acknowledged that its powers are only *suspended*; and therefore, that it may *resume* their exercise, whenever the present extraordinary arrangement shall cease. So true is the maxim of the law, *capitulum nunquam moritur*.

The clergy submitted to this decree; and from this time we hear no more of their chapter, than as a society nominally subsisting by a regular succession of members. They do well thus to perpetuate themselves; for I view them as the ruins of a venerable institution, through whom has been transmitted the fame of men that would have dignified any cause, and who, had their transactions been with any other court than that of Rome, would, by their perseverant energy, have established amongst us a form of ecclesiastical government, independent and primitive.

The

“cree, never either publishing or attempting to carry it into execution. Wherefore, by their own means, there was no mention of it, it being deemed inadmissible in practice, and the regulars continued to enjoy their privileges for many more years, as will hardly be denied by any one.”

And yet, as I have mentioned, the pope himself, in the following year, confirmed by a brief (which lies before me) the decrees of the congregation, at the express desire of the vicars, and commands them every where to be *executed and obeyed*.

Treatment of
the vicars by
the Roman
court.

The powers *delegated* to the vicars by the Roman see were in themselves ample, such as the archpriests had enjoyed, and such as ordinaries exercise in their respective dioceses; but then they are precarious, being revocable at will.—In 1696 the vicars, on account of many inconveniences, petitioned that their powers of *dispensing* in certain cases might be extended to a longer period. They had been granted, I believe, for five years. The sacred congregation answered, “That it could not be done.”—They had petitioned, that, without their approbation the regulars might not circulate their *indulgences*, as they too often did, to the prejudice of religion. “The superiors of those regulars must be heard on the subject,” replied the sacred congregation.*

Thus does a foreign congregation, unknown to the prelates of former times, removed to the distance of Rome, presume to judge of the expediency of measures; and treat the humble representations of experienced and honourable men as the petulant expostulations of schoolboys!

The 11th of
king William.

Nothing more occurs, of a public or private nature, in the concerns of the Catholics, till the 11th of William, when the *act* passed *for the further*

* *Decreta Sacræ Congreg.* 26 Sep. 1696.

ther preventing the growth of popery. The clauses of that act were peculiarly severe, made without sufficient provocation for the severity; and when the manner in which it passed the houses, as recorded by Burnet, is considered, we are amazed that common humanity could be induced so wantonly to sport with the fortunes and happiness of its fellow-man. "Those who brought this bill into the lower house," says Burnet, "hoped that the court would have opposed it; but the court promoted the bill; so when the party saw their mistake, they seemed willing to let the bill fall; and when that could not be done, they clogged it with many severe and some *unreasonable* clauses, hoping that the lords would not pass the act; and it was said, that if the lords should make the least alteration in it, they, in the house of commons, who had set it on, were resolved to let it lie on their table, when it should be sent back to them. Many lords, who secretly favoured Papists, on the Jacobite account did, *for this reason*, move for several alterations, some of them importing a greater severity; but the zeal against popery was such in that house, that the bill passed without any amendment, and it had the royal assent."*—And yet by this act,
thus

* *Hist. of his own Times.*

thus obtained, Catholics often suffered much, chiefly on account of the reward of a hundred pounds held out by it to informers.

Reign of
Anne.

In 1701 king James died at St. Germain's; and in the year following, on the 8th of March, died William.

During the twelve years of Anne's reign, who now succeeded to the throne, the Catholics lived, as, since the Revolution, they had done, free from molestation, subject only to such restraints as former laws had imposed. To the queen they were, by no means, disagreeable: She recollected the loyalty they had ever shewn to her family; nor did their present attachment to her unfortunate brother James give her displeasure.—The profession of the same political opinions with the Tories, contributed not a little to procure them some esteem from that powerful party; it removed part of the odium that had been annexed to the name of Papist. Still, it is a truth which many facts have confirmed, that no Tory administration was ever sincerely disposed to lighten our grievances.—The Whigs continued hostile to them, not so much from any religious animosity, as because their politics threw some weight into the scale of their opponents.—The nation amused with the sound of victories, which on all sides, attended our arms, and engaged in political altercations,

cations, lost sight of other objects: Enthusiasm in politics had taken place of enthusiasm in religion.—The leading men of the Catholic party, though removed from the concerns of state, warmly espoused the Tory interest; whilst the multitude, now reposing from the violence of former oppression, enjoyed their present scanty allotment of ease, and occasionally indulged the vain reflection that, at the death of Anne, perhaps, their favourite prince might be called to the throne of his ancestors. In their turn, they hated the Whigs, whom they viewed as the instruments of the revolution; and though this event had procured to them their present tranquillity, it would have been criminal, they thought, to have entertained any favourable emotions towards them. Such was the temper of their loyalty; and, at that time, a Whig-Catholic would have been deemed a phenomenon, fit only to excite the detestation of some, and the amazement of others.

In 1706, upon a rumour of the growth of popery, attempts were made to bring in a bill, that should render more effectual the late act of king William. The bill, however, dropt; and an address was made to the queen, that she would order a return of all the Papists in England to be prepared for the next session of parliament. What was the issue of this return, I know not. But some years later, when the
queen's

queen's intention with regard to her brother was much suspected, and the cry of popery was again raised, a bill passed of the same tendency as the last. By it Catholics are disabled from presenting to benefices; and the benefices in their presentation are confirmed to the two universities, who may prefer bills in chancery to discover fraudulent trusts.* This was in 1713, the last year of Anne.

The secular
clergy accu-
sed of *Janse-*
nism,

During the current of these years, as I have represented them, not untroubled, internal commotions, as usual, had disturbed the peace of Catholics. I shall briefly state the circumstance.

The reader, possibly, may know that, since the year 1641, great disputes, in regard to opinions, collectively from the name of Janfenius, termed *Janfenism*, had disturbed the general mind of the Catholic church. Janfenius was bishop of Ipres, who died in 1638, leaving behind him a ponderous manuscript, entitled *Augustinus*, in which he professed to deliver the opinions of the learned father of that name, on the mysterious doctrines of *grace* and *freewill*. The work was printed; and as what is least understood by theologians generally commands their greatest attention, so was it with this
mighty

* 12 Annæ, cap. 14.

mighty volume. But I mean not to detail the progress of the controversy it engendered, into which, for more than a century, and especially in France, all orders of men, the church, the court, the parliaments, entered with the inveteracy of the hardiest combatants. On the same subject when *other* controvertists were once made to engage, it was said, and the application is not distant :

Others apart sat on a hill retir'd,
In thoughts more elevate, and reason'd high
Of Providence, foreknowledge, will, and fate;
Fixt fate, freewill, foreknowledge absolute;
And found no end, in wand'ring mazes lost.

Par. Lost, b. 2.

The history of this controversy is the history, truly, of the *Egaremens de l'esprit humain*, in which, under the specious shew of supporting the integrity of religion and the cause of truth, all the passions to which man is subject rushed into action, and ranged unbridled. The Jesuits, in this warfare, were the champions of *free-will* against the doctrines of Jansenius; while other orders, on the side of *grace*, but not on the side of the Belgian bishop, whom the decrees of Rome had anathematized, combated with equal ardour. But the controversy, as it advanced, branched out widely, taking different aspects, and involving various matter. He, at first, was a Jansenist who admitted the real doctrines of the sect; then he, who refused to
subscribe

subscribe *unconditionally* to the decrees of Rome; he who *appealed* from those decrees to a general council; he, who, rejecting the doctrines, maintained that they were not to be found in the volume *Augustinus*; he, who wished to remain passive on the question; he, who could believe that a Jansenist might be an honest man; he, that did not admire all the maxims and manœuvres of the Jesuits; he, in fine, that was not a friend to their order.

As the English Catholics, particularly their ministers, were educated abroad, it may be conceived, how deeply they were sunk in the abyss of that interminable dispute; and that when they returned to England, they brought with them the animosity contracted in their schools. The reader will, likewise, recollect, that no cordial goodwill had ever subsisted between the English clergy and the Jesuits, the origin and progress of whose quarrels I traced. At this time, therefore, when other causes of mutual dislike had somewhat subsided, new matter of reproach was found in the Jansenistic controversy. The theological and moral principles, in which the clergy were educated, had rather a tendency to the side of Jansenism, (as all truth, in its human progress, converges, at certain points, to the meandering line of error); while the principles of the Jesuits, on the other hand, were thought to incline too much
to

to the exploded doctrines of Pelagius, and the loose maxims of some modern casuists. Thus was a ground established, on which the spirit of party could raise its structure of malevolent reproach, and insidious imputation. It was imputed to the clergy, that they were *tainted* with Jansenism. The calumny began first to be broached about the year 1706.*

The imputation originated, perhaps, in malevolence; perhaps, in wantonness. Be that as it may; the clergy resented the charge, and strove as seriously to repel it, by every effort, as if some secret consciousness pronounced against them; or they really feared the calumny. Rome that listens to every tale, as if to listen to tales befitted the dignity of her sacred congregations; and to whom every tale is carried, since carrying of tales has proved an introduction to favour; Rome, I say, was soon informed, that the hitherto fair fame of her English Catholic clergy was not free from the stain of Jansenism. As the report circulated, the vicars strove to stem its progress; and Dr. Smith from the north, in a *letter* to Rome, complaining of the groundless charge, exculpates his brethren, and attests their orthodoxy. Towards
the

* *Secret Policy*, Lett. 19, 20, 21. A work written with too much acrimony, but which contains truth.

the close of his letter, he says: " One thing
 " more I add; that myself, my colleagues, and
 " my clergy are so desirous of peace and of a
 " tranquil life, that we have ever passed over
 " such sublime controversies, deeming them
 " better adapted to the schools, than calculated
 " improve the manners of our people."*

This was in 1707. Yet two years after, I find a list of charges transmitted into England from the holy Roman office. The charges were, " that many who were converted to the
 " faith by the secular clergy, spoke irreverently
 " of the pope, of the invocation of saints, and
 " of indulgences; that many kept in their oratories the portraits of Arnald and St. Cyran
 " (noted French Jansenists); that many books,
 " either plainly Jansenistical, or nearly so, had,
 " within the last years, been translated from
 " the French, and printed; that a certain
 " priest in the county of Durham instructing
 " some scholars, read to them the *Provincial Letters*;† that he ridiculed indulgences, even
 " that

* *Letter of Dr. Smith, Dodd, vol. 3, p. 519.*

* The *Letters* of the virtuous and eminent Pascal, *Sur la morale et la Politique des Jésuites*, begun to be written in 1656.
 " Tout y est pureté, dans le langage," says an excellent critic,
 " noblesse dans les pensées, solidité dans les raisonnemens,
 " finesse dans les railleries; et par-tout un agrément que l'on
 " ne

“ that (of the order of St. Francis) termed
 “ *Portiuncula*, saying, that indulgences did not
 “ satisfy the divine justice for temporal punish-
 “ ments, but were a relaxation only of cano-
 “ nical penances, as enjoined by the church.”*

It is not easy to be serious in the discussion of such trash. The clergy, however, affected a serious air, and from London addressed a long *Letter* to their brethren in the country, “ in testimony,” as they express it, “ of their innocence as to the aspersions of *Jansenism*,” dated Nov. 29, 1709. They had collected the opinions of the vicars apostolic, of the superiors of the regulars, and even of the provincial of the Jesuits, all which they state, shewing how unfounded the accusation was.†

It could not be, while the clergy residing in England were thus calumniated, that the college, in which many of them had been educated, should escape uninjured. I related the rise and progress of that establishment, (the college of

The college of Douay involved in the same accusation.

“ ne trouve gueres ailleurs.” *Paral. des Anc. et des Mod.* p. 121.
 —He that has read these famous Letters will subscribe to the critique: he that has not read them, has lost a pleasure which their perusal only can compensate.

* *Copy of an Information*, Dodd, p. 519.

† *Letter by order*, &c. Dodd, p. 524.

Douay) which afterwards continued to be the asylum of many distressed Catholics, and the principal nursery of our youth. Its discipline, under a succession of able men, had remained unrelaxed, its morals pure, its learning on a level with that of Europe, the principles of its religious instruction sound, unsophisticated, and genuine. Its present superior was Dr. Edward Paston.*

The accusation carried to Rome was, "That many and divers professors and scholars in that college publicly taught and learnt the false doctrine of Janfenius."†

His holiness Clement XI. in great irritation, commanded measures instantly to be taken to stop the spreading evil, signifying to the vicars apostolic, "that he should otherwise be necessitated to suspend the pension, or rents, usually allowed to the college, and convert them to other uses."§—The vicars exerted all their powers; the president of Douay and his professors were equally active; for, in addition to the menaces of the pontiff, it was likewise rumoured, that a plan was formed to expel the clergy, and transfer their college into other hands.‡ And of this

* Dodd, p. 479.

§ Ibid.

† Letter of Dr. Witham, Dodd, p. 520.

‡ Letter of Dr. Smith, Dodd, p. 520.

this plan, and of the whole malevolent transaction, the Jesuits were said to be the contrivers and agents.*

Dr. Howarden, the ornament of the college, a man of uncommon abilities, but at whom the principal shaft, barbed by malice; had been aimed, was removed from his professorship; and soon a cloud of witnesses appeared, who attested the innocence and orthodoxy of the seminary. The first *Testimonial* was from the heads of the university and town of Douay, dated Feb. 2, 1708, who declare, "that the college of the secular clergy situated amongst them, had been remarkable, for above one hundred and forty years, for piety and purity of doctrine; for their singular erudition in Greek and Hebrew; for their studies of philosophy and divinity; for their exactness in discipline; and that they were equally enemies to loose morals, and affected severity."†—The court of St. Germain's, in 1710, after a minute scrutiny, make the same declaration, that the charge of Jansenism was a false and invidious calumny, as justice, they say; and charity, compelled them to depose.§—A visitation also of the college, by command of his ho-

* *Secret Policy*, Let. 21.

Declaration & Testimonial, Dodd, p. 521.

† *Ibid.* p. 285.

linefs, came in aid of thefe folemn atteftations of its friends.*

Both acquitted.

Thus, in fome fufpence, the matter hung, for the truth of the adage, *calumniare fortiter, aliquid adhærebit*, was daily verified, till the Roman bifhop, convinced by two formal fubfcriptions to all the decrees of his court againft Janfenifm, one by the vicars apoftolic in 1710, the other by the fuperiors of the college in 1714,† commanded cardinal Paulucci to fignify to the parties, that he was pleafed with their obedience, and fatisfied of their innocence.‡

The clergy, I believe, have never cordially forgiven this attack upon themfelves and their college, which no provocation incited, or the femblance of guilt urged. And what muft we think of the religion of men, whoever they were, who could wantonly affail innocence and the pureft character of faith? I know not, under what cafuiftry it is, that the work of defamation is thus permitted: under what cafuiftry it is, that defigns and motives, of every evil tendency, are thus imputed: under what cafuiftry it is, that erecting a tribunal in his own breaft, a felf-conceited mortal calls his fellow-creatures before

* Dodd, p. 480.

† *Subscription*, Dodd, p. 523.

‡ *Letters of Paulucci*, MS. and Dodd, p. 523.

before it, and condemns or acquits them, as the current of bigotry, or of prejudice, or of falsepiety may run. How truly humiliating to the honest pride of our natures is the history of all *religionists*! Arrogating to themselves the office of heaven's vicegerents, even in its most mysterious ways, they pretend to be the champions of its truths, while they insult reason, the fairest of heaven's gifts, and expose, if they can, to shame, the dearest blessings of man, probity of manners and innocence of heart!

In the following reign of George I. who came to the throne, pursuant to the *act of succession*, in 1714, the story of the Catholics is almost a blank, if we except the attempt rashly concerted, in the ensuing year, to restore the pretender, in which attempt some few of that persuasion were unfortunately engaged. They suffered; and the Jacobitism of the party, awed by the severe lesson, began to wane. The king was not their enemy. Unacquainted with our domestic quarrels, and therefore free from the prejudices they imprint, he could view in our religion no cause of jealousy: but our politics threw some weight into the scale of a party, who were his enemies, and, from this consideration only, he was hostile to us.

Reign of
George I.

As I have often blamed the politics of Rome, willingly I would lower that censure, when an
C c 3 occasion

Rome proposes an oath of
allegiance.

occasion offers. In 1716 it was signified to his holiness, Clement XI. that the English Catholics, by persevering in their opposition to the established government, exposed to ruin the cause of religion and their own domestic concerns. He, therefore, commanded a *declaration of allegiance* to be drawn up, to which the Catholics should subscribe; and which, by the nuncio at Brussels, was transmitted to the vicars apostolic. From the letter written by the nuncio on the occasion, it appears, that the matter had been some time in agitation on both sides the water, and that Rome, provided the cause of religion (as she, doubtless, interpreted that cause) were not touched, would permit an oath of complete fealty to be taken. In pursuance of this order, or intimation, or permission from Brussels, the heads of the Catholic ministry met, and modelled an *oath* agreeably to the pontiff's *declaration*. The oath was,

“ I swear, and promise a true and universal
 “ submission to king George; and that I will
 “ attempt nothing in order to disturb the peace
 “ and tranquillity of the realm: Moreover I de-
 “ clare, that I will neither sue for, nor accept
 “ of, any dispensation from this oath.”

Government, it is said, was willing to countenance the project; but it miscarried as other such projects had done. The undiscerning crowd

crowd of Catholics, wedded to their Jacobitism, represented the movers in the business as the foes to their religion, while the pretender's adherents so conducted their opposition at Rome, that his holiness, unwilling to offend a fallen prince, who had retired to his court for protection, interfered no longer. He left us, says my author, to the humiliating option, *qui vult decipi decipiatur*.*

Though the oath be, undoubtedly, expressive of ample allegiance; yet the closing clause, it must be admitted, bears a suspicious aspect. It declares, that no *dispensation* will be *sued for*, or *accepted*: but it rejects not the *right* of granting such dispensation; as if the Roman court really possessed that right, but, in the present circumstances of the English Catholics, it were not *prudent* to exercise it.—And how opportune, it may be said, was the occasion, for disclaiming, with the dispensing doctrine, the monstrous prerogative also of *deposing* princes, had it been the wish of Clement to give to the British court a satisfactory proof, that he had renounced the proud pretension. With a facility that politicians know, he permits his Roman Catholics to sacrifice at the shrine of interest the whole hereditary claim of the Stuart line, though that claim
by

* *Providential allegiance*, MS. by Dodd, p. 20,

by many was esteemed *divine*; while not a grain of a prerogative, obviously abusive and in practice subversive of all social order, will he surrender.—I must remark also, that this interference in our internal politics is to me a circumstance of extreme humiliation. He permits, or he forbids, us to swear allegiance to our sovereign, and he orders his nuncios to signify the form of words we may adopt. I have lamented with my brethren that arrangement, which entailed dependence on us. “While our immediate
 “superiors, they said, are commissioners from
 “the pope, his will must be their rule, and
 “their will must be ours.” Against this I protest.

Dr. Strickland
 bishop
 of Namur.

Still in 1719 another project was formed to favour the Catholics, to which, as it is related, the ministers of the crown cordially acceded. A committee of Catholics, therefore, met, and some progress seemed to be made. But the spirit of Jacobitism rushed in; their measures were disconcerted; and the project soon dissolved in air.* The principal agent in this business was Dr. Strickland, afterwards bishop of Namur, a man of parts and of singular enterprise, and whose intimacy with the king of England, had it been permitted to operate, might
 have

* MS. Account of the transaction.

have ensured some success. I have before me a letter, written by the doctor after his promotion to the see of Namur, wherein, vindicating himself from certain charges, he briefly states some principal incidents of his life in France, where he was educated; in the court of Stanislaus king of Poland, from whom he obtained the honour of the Roman purple, which he afterwards resigned; at Rome, where he acquired the esteem of Clement XI. and of the college of cardinals; at Vienna, which he thrice visited, honoured by the emperor, and finally rewarded by him with the mitre of Namur; in the British court, where he exerted all his influence in the cause of his Catholic brethren, to reconcile them to their sovereign, and their sovereign to them, after the disastrous events of the last rebellion. The charges brought against him were "that he was an enemy to his religion, and inclined to Janfenism." So does malevolent bigotry always shoot her darts. To the first he seriously replies by enumerating the transactions of his life: the second provokes a smile, but he repels the charge.

Some laws, even in this reign, were made against Catholics.* In the first year, the king had signified his consent by a message to the commons,

Severe treatment of the Catholics.

* 1 Geo. cap. 50. cap. 55. 3 Geo. cap. 18.

commons, that the *two third parts* of the profits of the lands of popish recusants convict, which, by a law just enacted, were to be seized for such recusancy, might be applied towards suppressing the rebellion then lately made; and to the end the said two third parts might be the better known, commissioners were appointed to make proper enquiries. Dr. Strickland says, he was very instrumental in mollifying the execution of that severe act. At the same time, the commissioners were to enquire, what Papists had not taken the oaths, or in default thereof registered their names and estates, as another act prescribed. By which act, all moneys arising out of the said estates, were to be appropriated to the use of the public. On the 19th of February 1719, a report, signed by the commissioners, was presented, containing the names of the Papists who had registered their estates, and the yearly rent of the same, amounting in the whole to 384,950*l.* over and above large sums arising from time to time for fines payable by lease-hold and copy-hold tenants.

Again, in 1723, the Catholics being accused of having, by favouring plots and rebellion, brought additional expences on the realm, a fresh burthen was laid on them. It was enacted that, in lieu of the said two thirds for one year (which, as I have said, had not been rigorously levied), and in lieu of other pains and forfeitures,

forfeitures, there should be raised, within the year, the sum of 100,000*l.* upon the estates of Papists, for the use of the public, over and above their double taxes, to be assessed in each county agreeably to a stated calculation.—The names of the counties and the sums to be levied in each may be seen in the act,* whence some estimate may be formed of the encrease or decrease of our religion since that period.

The thirty-three years of George the second's reign, which began 1727, exhibit no material change in the condition of Catholics. They continued in the same state of tranquillity, broken only by occasional alarms, unengaged spectators of those turbulent scenes, in which the nations of Europe were successively occupied. The rebellion of 1745 alone unfortunately intervened, to stem the progress of public favour, reviving against them the malevolence of some, and the prejudices of many. Few Catholics joined the rebel standard; but the cause was known to engage their wishes. In the *declaration*, published in the name of James III. by his son when he took possession of Edinburgh, among other singular clauses is the following: "We solemnly
 " promise to protect, support, and *maintain the*
 " *church of England as by law established* in all her
 " rights,

Reign of
Geo. II.

“ rights, privileges, possessions, and immuni-
 “ ties whatsoever; and we shall, on all occasi-
 “ ons, bestow marks of our royal favour on the
 “ whole body of the clergy, but more particu-
 “ larly on those whose principles and practices
 “ shall best correspond with the dignity of
 “ their profession. We also solemnly promise
 “ to grant and allow the benefit of a toleration
 “ to all Protestant Dissenters, being utterly
 “ averse to all persecution and animosity on
 “ account of conscience and religion.” The
 prince in his manifesto goes further: “ We
 “ come not, says he, to impose upon any a re-
 “ ligion which they dislike, but to secure them
 “ all in the enjoyment of those which are re-
 “ spectively at the present established in Eng-
 “ land, Scotland, and Ireland. And if it
 “ shall be deemed, that any further security
 “ be given to the established church or clergy;
 “ We hereby promise, in our father’s name,
 “ that he shall pass *any law* that his parliament
 “ shall judge necessary for that purpose.”

The *declaration*, conveying the solemn pro-
 mise of *maintaining* the established Protestant
 church, was written, it must be noticed, at
Rome; and the last clause of the manifesto, we
 may presume, had the sanction of the same ve-
 nerable casuists!—In neither of the instruments
 are the Catholics mentioned.

Some

Some internal concerns of the body require notice.—The brief of Innocent XII. which I mentioned, obtained in 1696, and which defined the submission due from the regulars to the vicars, either from the remissness of the latter who chose not to press an unwelcome authority, or from the reluctance of the former to obey, had not produced the desired effect. Unpleasant controversies, therefore, occasionally happened, as I find them particularly noticed in 1732, 1736, 1738; and complaints of the refractory disposition of the regulars, who still spoke of their immunities, and undervalued the episcopal jurisdiction, were carried to the nuncios in Flanders, and sometimes to Rome. They endeavoured to establish a distinction between *faculties* and *approbation*. This, they acknowledged, they received from the vicars, who acted in the capacity of notaries appointed to examine and declare, whether the testimonials, they presented from their immediate superiors, were authentic and in due form: but their faculties or functionary powers, they insisted, were independent of that approbation, and received no validity from it. Under these circumstances of insubordination, a direct application was finally made by the vicars to the court of Rome, and that application, after some years, was crowned with success. The sacred congregation passed a decree, dated August 16, 1745, and Benedict XIV. the excellent

Controversy
between the
vicars and
regulars.

cellent Lambertini, confirmed the same by a pontifical brief on the second of the following month. The Decree is :

“ That the regular missionaries in England, of whatever order they be, shall, in future, receive their faculties of administering the sacrament of penance, and exercising all powers regarding the cure of souls, from the vicars apostolic in their respective district; and that the same vicars may examine them, and for just causes (*legitimis causis*) totally, or in part, suspend them from the exercise of the said faculties, as likewise punish their misconduct, and ordain that they desert not, without their permission, the faithful once committed to their charge, nor pass the limits of the places assigned to them.”*

Owing to various impediments, it was not till 1748 that the brief arrived in England, when the vicars took proper measures to carry it into execution and to enforce obedience. But the regulars were not disposed silently to submit. The decree, as was obvious, had been obtained without their participation, and they knew the temper of him who had been principally instrumental in obtaining it. Wherefore they requested, “ that its publication and execution might be deferred, till they should
“ have

* Breve Ben. XIV. an. 1745.

“ have been heard in the Roman court.” The request was not granted; on which a *memorial* of great length was prepared, and dispatched with an agent to Rome. It contains a list of reasons, rather specious, certainly, than sound, why, without injuring the cause of Catholics, the decree neither ought, nor can be, reduced to practice. But then the cause of the Catholics, we must understand, is supposed to be involved in the nearer cause of their own immunities.

They remind Benedict of the support that is due to his own see and to the acts of his predecessors. “ By them,” they say, “ it was “ constituted, that the regulars should enter “ England not *to be* approved, but already possessing an approbation given by their own “ superiors, in the pontiff’s name, an approbation that immediately flows from the holy “ see, which no one can revoke, but that see, “ or he who presides over the English mission, “ the cardinal protector.”—“ Doubtless,” they go on, “ it is for the interest of that see to “ have many immediately subject to it, that is, “ many of whom the pope is himself the immediate bishop and diocesan. Since, therefore, from the time of the reformation, all “ jurisdiction in England has devolved, *jure divino*, on the holy see, and it has acquired, “ by the prescription of two hundred years, “ the right to itself of immediate subjection as “ to

“ to an ordinary and dioceſan ; while England,
 “ on her ſide, has alſo acquired a preſcriptive
 “ right of dependence on the ſame holy ſee : it is
 “ become expedient, that no derogation be made
 “ from that mutual ſtate of jurifdiction and de-
 “ pendence, by the intervention of another au-
 “ thority ; even it is proper, that of it ſome
 “ ſubſiſtent ſign remain. But there can be no
 “ ſign more proper, more uſeful, or more juſt,
 “ than that the regulars, who are the eſpecial
 “ children and ſubjects of the Roman ſee, when
 “ ſent into England, be approved by their ſu-
 “ periors under a commiſſion from his holi-
 “ neſs ; for thence the vicars apoſtolic and
 “ others may learn, that the pontiff is theirs
 “ and England’s dioceſan.”—“ Nor can any
 “ event,” they proceed, “ ſo much diminifh
 “ in England the authority of Rome, as the
 “ abſolute ſubjection of the regulars, notwith-
 “ ſtanding their privileges, to the apoſtolic
 “ vicars, eſpecially as ſome of them ſo deſpiſe
 “ the Roman ſee, as very lately to have threa-
 “ tened with the vengeance of the penal laws
 “ certain regulars, if, as the canons ordain,
 “ they carried their cauſe thither.”*—For theſe
 and other reaſons, they ſuppllicate from Bene-
 dict a *repeal* of the obnoxious decree.†

But

* *Rationes contra Decretum, MS.*

† The *relation of the regulars*, which was written on this occa-
 ſion, and to which is ſubjoined the above *memorial*, ſpeaks of the
 the

But no repeal was obtained: even, a few years later, in 1753, to remove, if possible, every occasion of discontent, and to establish a general system whence peace and concord might flow, Benedict issued a final *brief*, that sanctioned all preceding measures, and lays down *rules*, whereby priests of every description, secular and regular, must be directed. To these *injunctions* all submitted; and the happy effects of a just subordination have been experienced: The mind of Benedict was above the little policy which could influence the councils of many of his predecessors; and though, doubtless, he might wish to cherish the immunities of the regulars, as the main props that bolstered up

the *decree*, and of the vicars who procured it, with great asperity. "Notwithstanding the state of distress," it says, "in which all missionaries lived, it was the eternal design of the vicars to subjugate the regulars to their will." The same idea is often repeated in stronger terms. It then dwells on the merits, on the labours, on the exemplary lives of the regulars, who in number even exceeded more than half of the four hundred priests employed in England. The ambition, it concludes, of the vicars finally prevailed; and by misrepresentation and surreptitious means the fatal decree found its way into England.

To this part of the *relation* the vicars replied, in a *letter* to his holiness, refuting each charge, as it was easy, and substantiating the urgent reasons on which they had founded their original application: but, for further information, they refer the pontiff to their agent, Dr. Stonor.

D d

his

his prerogative, yet those props and the prerogative itself he knew how to value, when the peace of a venerable church was at stake, as also a branch of his own power delegated to his English vicars.

Bishop
Stonor.

I spoke of one who, among the vicars, was principally instrumental, I said, in obtaining the *brief* of 1745. That was Dr. Stonor, *Episcopus Thespiensis*, and vicar apostolic in the midland district. The office he had exercised since the year 1716, succeeding, I believe, to Dr. George Witham. He was of the Stonors of Oxfordshire, a gentleman of easy fortune; and as his mind naturally nervous and penetrating, had enjoyed the advantages of an academical education in the schools of Paris, he brought to his native country a stock of learning which few possess, and the endowments of a superior character. But a certain harshness, it appears, rendered those endowments less amiable; he was, besides, unbending in his purposes when once they were formed, and imperious when their execution was resisted. This I collect from the narration of those who knew him, and more from many letters and papers he has left behind him. It was he, I observed, who planned and conducted the late measures for the overthrow of the immunities of the regulars; and they neither loved him when living, nor venerate his departed memory. Yet the point

point he aimed at, and finally accomplished, was, doubtless, agreeable to the spirit of ecclesiastical discipline, and the means he used were co-ordinate and just. Viewing the independence of his mind, the comprehension of his thoughts, and his extensive knowledge, I am surprised that he never meditated the reform, the overthrow, if you will, of our own irregular church-government. The other vicars, some of them at least, would have followed as he had directed; and Lambertini himself, I doubt not, would have listened to the proposal, and by a decree have sanctioned it.

The vicars contemporary with Stonor were bishop Petre, and his assistant Dr. Challoner in the south; in the north Dr. George Witham, father Williams, and after him Mr. Dicconson; and in the west fathers Pritchard and Yorke.—Father Williams, I think, was an Irish dominican friar; but by what means, he procured the mitre of our northern district, I do not find recorded. The circumstance, however, shews (for his appointment was generally unacceptable), that if the ear of the sacred congregation can be obtained, or due interest made, very common materials will form a vicar apostolic. Yet, let me not be supposed to intimate, that father Williams was not in his conduct irreproachable, and in his manners conciliating: I will also add, that he espoused the

D d 2

The other
vicars.

cause

cause of the clergy, and even co-operated towards the suppression of the privileges of the men to whom he before belonged.*

Of bishops Pritchard and Yorke the same cannot be said. The first was of the order of St. Francis, promoted to his see as early as 1715, the other a Benedictin monk. These gentlemen had little connection with the other vicars: "It is, I believe, twenty years," said Dr. Stonor, speaking of father Pritchard, "since he has declined all correspondence with me, though by me most humbly and earnestly entreated to it." When, therefore, in 1748, it was proposed to them to co-operate in enforcing the brief of Benedict, they declined it, under the pretext, that, as they had not been advised with in procuring the decree, so neither would they attend to its execution, till they received further instructions from Rome. Bishop Stonor reprobates this conduct, in a letter to the nuncio, in the severest terms: "But it is the elder vicar," he says, "whom I judge most censurable, for Mr. Yorke, though he has followed the direction of his principal, is, in my estimation, a man of more just discernment and of a more episcopal mind." Not satisfied with withholding their co-operation,

co-operation, father Pritchard, with his colleague actively joined the opposition, and addressed a *letter* to each cardinal of the sacred congregation, praying that their decree might not be enforced, unless under such restrictions, as would amount to a repeal. The *letter* begins: "As vicars general are, and are styled, the eyes of diocesan bishops, so may it be allowed to us, who are vicars apostolic, to be called the eyes of the holy see." They chiefly dwell on the two last clauses of the decree, which ordain that, "without the permission of their respective vicars, the regulars quit not their residences, nor pass the prescribed limits." Of these regulations, they say, the laity most loudly complained, as an infringement of the liberty they had always enjoyed, of employing what minister they pleased, or of parting from him. They then propose the modifications, I alluded to, the principal of which is, that such regulars as have been once examined and received powers from their own superiors, shall only be required to present themselves for approbation to the vicars.*

This, they must have known, was the very circumstance that had lately caused dissensions,

* *Epistola Episcopi Myrinensis*, MS.

and against which the clergy vicars had reclaimed. But every consideration, in their opinion, was to give way to those dear immunities they so highly valued, and to re-establish which they prayed, that a state of insubordination might be permitted to return, and with it a decent contempt of episcopal jurisdiction. But neither to the *memorial* of the regulars, as I have said, nor to this auxiliary *address*, did the sacred congregation or Lambertini listen.

Apprehensions of the clergy.

It had been apprehended by the wisdom of our clergy, before the establishment of vicars apostolic, that should regulars, as was very probable, ever find the way to the mitre, it would expose their cause to ruin. The event has not verified the justness of their fears, but it may be curious to know what were the grounds on which those fears rested. A paper I have before me, written about the reign of James II. states those grounds:

“ 1. Because a regular is, by his very being
 “ such, so entirely at the devotion of the Ro-
 “ man court, to whose favour and not to
 “ Christ’s institution he owes his essence, its
 “ continuance and advancement by exemptions
 “ and privileges, that to govern after the man-
 “ ner of an extraordinary authority, is most
 “ agreeable to his genius and interest.

“ 2. That

“ 2. That the example once introduced,
“ the government of the clergy will never, in
“ likelihood, be got out of the hands of regulars ;
“ but they will lord it over us by turns, they
“ having more power at Rome than we, and
“ the clergy’s interest being still rendered more
“ insignificant by this violation of their right of
“ nominating, and their slavish subjection to
“ one of their auxiliaries.

“ 3. That the nature of a regular is to ex-
tend obedience almost to any thing ; and so the
“ clergy will be forced to obey *præter* and even
“ *ultra canones*, which infringes their just liber-
“ ties, and is the natural effect of extraordinary
“ authority.

“ 4. That he will be sure to advance the re-
“ gular interest of his own, and by consequence
“ of all orders, and so must necessarily depress
“ the clergy in all those just rights, which set
“ them above the regulars.

“ 5. In case a clergyman be a bishop, the
“ regulars can easily decline any encroachments
“ upon them, by their exemptions and privi-
“ leges : but if a regular be bishop, the clergy
“ have no way to right or preserve themselves
“ against his injurious and prejudicial govern-
“ ment ; arbitrary or extraordinary authority
“ being grateful to the modern temper of the
“ high

“ high court, the clergy’s interest there small,
 “ in comparison of the others, whose generals
 “ reside there, and the regulars (as we have
 “ experienced to our cost in the archpriests
 “ time) ready to ruin our credit, and conse-
 “ quently livelihoods, upon every pretended
 “ defect of our obedience, however undue.

“ Nor doth it all secure us here, in our cir-
 “ cumstances, that, in Catholic times, many
 “ regulars have been bishops, and careful of the
 “ clergy’s interest. For then the clergy owning
 “ themselves the sole pastors, the bishops de-
 “ pending solely on the clergy, as to their elec-
 “ tion, revenues, &c. and in that open profes-
 “ sion of religion and efficacy of the *forum exter-*
 “ *num*, the bishops could only govern by canons,
 “ and a clergyman could defend his rights
 “ when invaded, by a fair trial in open courts,
 “ even against the bishop himself. All which
 “ want in our condition in England, where, if
 “ the regulars can rule us *in virga ferrea*, we can
 “ have no defence against his suspensions, ex-
 “ communications, &c. carried on to disgrace
 “ us. If he be a great courtier and addicted to
 “ the interest of the high court (Rome), we are
 “ not likely to be remedied there; so that we
 “ must defend our honour, be forced to have
 “ recourse to foreign universities, petitioning
 “ them to decide the case speculatively between
 “ us

“ us and our enemies. All which was seen in
 “ the case of the archpriest.”*

I have little more to add. The reign of George II. closed in 1760, and George III. ascended the throne. I have said, that the Jacobitism of the Catholics had been, for some years, on the wane; and from this time it so completely disappeared, as to make way for the repeal of part of the oppressive act of the 12th of William, in the spring of the year 1778. This was the first parliamentary favour they had experienced, since the suppression of their religion under Elizabeth; and I know not, whether, before this period, all circumstances duly weighed, their minds were in a proper temper to be admitted to indulgence.

Oath of al-
 legiance in
 1778.

In regard to the bill now obtained there was a circumstance which merits notice. An *oath* was annexed to it, to be taken, within a limited time, by all who would enjoy the benefits of the bill, which oath, in its principal clauses, was the same as that of James I. which Paul V. in 1606 anathematized, “ as contain-
 “ ing many things obviously adverse to faith
 “ and

* *Francis Fitter's MS. Papers*, a clergyman well esteemed at the beginning of this century, and whose indefatigable hand has transcribed and preserved many valuable papers.

“ and falvation,” which anathema he afterwards confirmed, as did Urban VIII. in 1626, and on account of which anathema, the Catholics at that time, and in after times, refused to take the oath, thereby exposing themselves to the odium of their fellow-citizens and the persecution of the laws. The chief clause objected to by the Roman court, and which, probably, drew its curse upon the whole, was that which, abjuring the *deposing* doctrine as *impious* and *heretical*, pronounces it to be *'damnable.** In the oath of 1778, the same doctrine is *abjured* without any qualification of its character or tendency. But it was the *doctrine* that Rome had laboured to save, and as that in the last oath was as *positively* abjured as in the first, the phraseology of epithets must have been deemed immaterial. The simple act of *abjuring* a proposition announces that proposition to be intrinsically *false* or in its tendency *pernicious*: and this admitted, the expressions of detestation that accompany it, do but declare the conviction or the

* “ It is observable, (says an author writing in 1661) that
 “ at the first publishing of the oath, there were in every line
 “ and almost particle of it pointed out by them (the new
 “ *De-fide-men* as he calls them) a several *heresy*: all which he-
 “ resies are now at last vanished, *excepting only one*, which is that
 “ by which there is enjoined a renouncing of that so bruited
 “ *article of faith touching the pope's power of deposing princes.*”
 —*Reflections upon the oaths of supremacy and allegiance*, p. 61.

the feelings of him who takes the oath. He who took the oath of James, declared the *deposing doctrine* to be *impious*, that is, contrary to the found principles of morality, to be *heretical*, that is, in the language of the propounders, contrary to the written word of God, to be *damnable*, that is, to merit the strongest abhorrence of language. He who takes the oath of George III. renounces the same doctrine, and by implication loads it with the same weight of imprecation. What is *false* in the sense of that proposition, is false in all its concomitant analogies, that is, is *impious*, is *heretical*, is *damnable*. At all events, in 1778, that tenet was *abjured* by the Catholics of England, clergy and laity, which, in 1606, a pope of Rome had forbidden to be *abjured*; and by the act it was declared that the *briefs* of pontiffs, in some cases, were unbinding and nugatory. For *truth* herself does not vary; and her maxims in all ages are the same.*

Thus the event happened.—By a repose of many years, we had lost sight of the disputes
of

* It is true, as I have before stated, the oath of James was rejected not *merely* for its renunciation of the deposing power; and, within a few days, have been shewn me six weighty objections, as they are called, whereby an intemperate author pretends to demonstrate that no catholic, even now, could take the oath of James without *prevarication* and *perjury*. Of those six
weighty

of our ancestors, and many of us hardly knew what animosities the oath of James had excited, or that it had been censured by Rome. Viewing the object, therefore, with a coolness of reflection unwarped by prejudice, we saw the deposing doctrine in its true light, and were anxious to repel from us all the odious consequences it presented. It was fortunate too, that the hurry with which the bill passed at the close of a session, did not allow the punctilious and sophistical to brood over their own minds, in which, had there been leisure, they would have found, I know, an ample store of quirks and quibbles, on which to build that cobweb structure that shall perplex the ignorant, and disturb the timid, while themselves glory in the vain ingenuity of their shrewdness, and proclaim the triumph of a success, that has saved religion, they say, and morality, and the integrity of faith. And also fortunately, we then possessed the venerable Dr. Challoner, whom long experience had taught the truth of the observations I have just made; and whose advice, therefore, when he was consulted, was, to proceed

weighty reasons, the 1st, to my apprehension, is most ludicrous, of the three following the second only is adhered to by the enemies to the oath, the 5th is sophistical, and the last could only weigh on a mind warped by quibbles. Such a mind, for aught I know, even in the face of evidence, might expose itself to prevarication and perjury.

ceed with as little noise as possible, and bring matters to a speedy issue.

The tumults of 1780 which the passing of this bill excited, though a momentary evil, contributed to accelerate the further emancipation of the Catholics. The malevolence of many seemed to have evaporated in the explosion; and goodwill and a more general forbearance took possession of the public mind.

It is unnecessary I should state the circumstances that preceded, or accompanied, our late application to parliament. Already they are so amply recorded in a variety of publications, that they stand not in need of my co-operation to give them perpetuity. However, to complete the sketch I have in view, I shall, as briefly as may be, exhibit some general outlines.

More recent events.

In a country where oaths have been so multiplied, as to excite little attention and less solicitude, our oath of 1778 had not, in the removal of prejudices, produced the effect that was expected from it. It was, therefore, deemed expedient, by some other method, to attempt the salutary work; and in a full and explicit enunciation of our tenets solemnly to declare, what our civil and political principles were. This was done in 1789, by an instrument

ment termed a *protestation*, which the Catholics almost unanimously signed, and which was presented to the public. The effect it produced, combined with other general causes, was sudden and extensive.—At the time, the draft of a bill was preparing, for our further relief from many aggrieving statutes: on which it occurred to some persons in power, that nothing, probably, could better serve our cause than to annex a new oath to the bill, that should be modelled agreeably to the clauses of the protestation. To this the Committee, who had been entrusted with our concerns, acceded, and an oath was framed.*

Thus far all was well.—Among ourselves an accord of sentiments prevailed, to which for years we had been strangers, and which augured an encreasing flow of happiness. The charges brought against our faith by our fellow-citizens we had replied to; and they believed us. A second time we had renounced the *deposing power*, calling it *execrable* and *impious*, and with it that grand foundation of all the abuses which have depraved the prerogative and power of Rome, the *personal infallibility* of her first pastor. When prejudices shall be thus removed, what obstacle, we thought, can long delay our complete emancipation?

* *Letters of the Cat. Com.*

emancipation? And though this event (which in the temper of men's minds cannot be) should still be distant, yet of a partial indulgence we are secure, while our own internal peace, the best source of happiness, will amply compensate for every remaining evil. So we reasoned.

In the summer of the same year 1789, the new form of oath, as modelled on the *protestation*, was circulated; that, its contents being maturely weighed, it might be ready to accompany the bill into parliament. I admire the candour, but not the prudence of the Committee. They had been compelled, it seems, by circumstances which they could not command, to depart from the *letter* of the protestation in wording the oath.* Here was the first evil. The second was, in permitting the oath thus worded to lie for months before the minds of some men, such as I described them, punctilious and sophistical. These saw in it a departure from the instrument they had signed, a departure obviously *verbal*, and which, by means of a little torture easy to be practised, might be construed into a formidable deviation. The committee might also have been aware, though the signatures to the protestation were general, that

* *Letters of the Com.*

that among them some would be found who, ruminating on the act, might review it with horror, as it reprobated certain principles which they had once been taught to venerate; and, therefore, that they would eagerly seize the present occasion, if not to withdraw their signature, to magnify its precipitancy at least, and to censure in the oath what too hastily they had professed in the protestation. The committee might likewise have been aware, that the few who had refused to sign the *protestation*, would now be loud in vindicating the measure of their singularity, and by proving that both instruments were alike, endeavour to shew that they both merited equal execration.

It is, therefore, to me most clear (and I saw it at the time) that the committee should never have consented to the smallest departure from the protestation, conscious of the characters of the men with whom they had to deal; and that if, without their consent, the alteration was to be made, then should they at once have stated the fact, and have left the oath to make its own way. But in a consciousness, from their own view of things, that nothing had been done *materially* to affect the sense of the original clauses, they boldly committed the oath to examination, asserting its congruity with the protestation, and thus provoked the scrutiny and the cavils of sophisters. Little had they
imagined

imagined that men who, a few months before, had signed their names to an instrument, would refuse to the same the more solemn pledge of an oath, wherein, with a trifling deviation as they conceived it, the same errors were renounced, the same truths admitted.*

The controversy that now took place was acrimonious and stubborn, in every point most minutely resembling that which the oath of James had excited. It even seemed, after the lapse of almost two hundred years, that the same men still existed to combat, and that their generation had not passed away. To men of reflection, however, the thought was melancholy, that with the *tenets* of our faith our *opinions* also had been stationary, that is, our reason had not been progressive, and that we too nearly approached to that race of beings which naturalists, from their unvarying character, have defined to be *imperfectible*. The beaver

* I am informed that *many* priests, with the *vicars* Walmesley and Douglas at their head, have *recently* withdrawn their names from the *protestation*, (the original of which is deposited in the British *Museum*) and that the deed is recorded in an authentic instrument, termed a *Counter-Protestation*!—Are we, therefore, sure that there may not also exist a *counter-oath*?—When our enemies, as I thought them, used to proclaim that *no form of words could bind us*, I indignantly repelled the charge. In future, I and others must be silent, hang our heads, and blush.

constructs his house of clay as beavers always have done; and the owl hoots to the moon, and builds her nest, as the parent owl, that Noah harboured, built her nest and hooted.

The vicars apostolic, in this discordance of opinions, imprudently, I think, censured the oath, forbidding it to be taken, and more imprudently did not assign their reasons for the censure. The days of passive obedience are gone; and it is the weight of evidence, not the mere mandates of authority, that can now ensure submission. The committee, some of them peculiarly enlightened and inquisitive, all of them cool in discernment and steady in conviction, were roused by this intemperate act, which no friendly intercourse had preceded, no attempt to conciliate, or to modify or expunge what in the oath had excited their zeal; and on this occasion, they published their first *letter*.

The opposition which the censure of the vicars raised, soon became formidable; and no means were omitted to impress on the minds of the multitude the alarming thought, that the oath of the committee, if not intentionally so designed, was at least so worded as to endanger the faith of him that should imprudently take it. The press, meanwhile, groaned with publications, which, on both sides, indicated

cated some ingenuity; but which, on both sides, indicated more animosity than love of truth, more display of sophistry than honest zeal, more inveteracy of party than a wish to instruct by candour and mutual concessions.* And so it ever is in controversy, and more so when that controversy is religious. At first men take sides from various motives, of some private resentment, it may be, or of a laudable emulation, or of a personal attachment, or of a thoughtless indifference, or of a sincere zeal. But soon, as the passions warm, every inferior consideration gives way, and the spirit of party alone predominates. Then does the perception become distorted, the medium of view dark and troublous, and objects change their magnitude and figure. The progress of a disputatious mind, through all its gradations, from indifference to warmth, from doubt to certainty, from hesitation to conviction, and from opinion, in religious matters, to what it calls faith, may be distinctly traced. Nor does it

* And yet, as is acknowledged by the latest writer against the oath and its inveterate enemy, *the terms only of the oath were objectionable*, and a few verbal alterations, which, however, he says, were *essential*, would have *relieved his conscience*. It was, indeed, cruel to oppress a mind so delicate, particularly as that oppression seems to have deranged its *native candour*; for now he sees in the oath of the committee all the horrors of the French *civic oath*, and by that name, still somewhat generous in spite of oppression, he often calls it!

pause here : A more pernicious affection has grown up with this mental process, I mean, a disposition of malevolence, (which the possessor mistakingly fancies to be the holy fire of the sanctuary) that imputes to his adversary motives of conduct which that adversary never entertained, thoughts, reflections, meanings, purposes which ever were most foreign from his mind.

The controversy, of which I am speaking, lasted, without intermission, from the censure of the oath by the apostolic vicars in October 1789 to the spring of the year 1791, when the bill passed, and the oath, which the Irish Catholics had taken, was substituted in lieu of the oath of the committee. But, in truth, the controversy did not end here, though the opposing party had gained their wishes, and might have triumphed in the success: for too much ill-will, too much of all the passions that debase our nature, had been excited, at once to fall back and subside into a calm.

Cafe of Mr.
Wilks.

A clerical member of the committee, whose endowments are above my praise and whose virtues gave a lustre to his ministry, the Rev. Joseph Wilks, by persevering in the discharge of a public trust imposed on him by the Catholics, after the vicars had censured the oath, and his own bishop with two new colleagues had confirmed

confirmed that censure, drew on himself the animadversion of his ecclesiastical superior. This superior was Mr. Walmsley, the senior vicar apostolic, formerly a monk of the order of St. Bennet, and who, through the progress of the contest, had stood conspicuously forward, in zeal as ardent, and in means as inventive, as if he had been seriously convinced that the integrity of his religion were really at stake. "I defend the cause of religion, which you are attempting to injure;" he publicly declared in a *letter* to the committee. And yet each member of that committee valued whatever was valuable in his religion as much as did the senior vicar, and was equally disposed to maintain it. When an expression, such as I have quoted, drops deliberately from a man, in such circumstances as we then stood, whatever may have been his previous character, or high his present station, his sentiments lose all claim to deference, for he has proclaimed himself a partisan, whom no moderation guides, or cool discernment guards against the intemperance of passion. And to words so irritating which often circulated, and to conduct in himself and others, sometimes resentful, sometimes arbitrary, may, I think, be ascribed that warmth which the committee occasionally betrayed, particularly in their *appeal* and *protest*, those barbed arrows that no friendly hand has yet been able to draw from the fides of the vicars apostolic.

Mr. Wilks was *suspended* from all his parochial powers and ecclesiastical functions in the city of Bath, and within the district of Mr. Walmesly; "because," says the censure, "he had refused to submit to the ordinances of the apostolic vicars."—Many deemed the sentence arbitrary, unwarranted by the mild spirit of Christian discipline, and contrary to established forms. But the reader will recollect the passages I quoted against the episcopal government of regulars; "The nature of a regular is," says one passage, "to extend obedience almost to any thing; and so the clergy will be forced to obey *præter* and even *ultra canones*, which infringes their just liberties, and is the natural effect of extraordinary authority." He confounds *monastic* with *canonical* subordination. Mr. Wilks, however, was himself a regular, whom certain ordinances, I know, of the brief of 1753, particularly guard against oppression, which his brethren, we may presume, will not permit to be violated.*

It was imagined that the Catholic clergy, with the spirit of their ancestors, would have been roused to screen their delegate from oppression; for Mr. Wilks, doubtless, they viewed
as

as their especial representative in the Catholic committee; and it was for the conscientious discharge of that trust, they knew, that he now suffered. The Catholic clergy were not roused to screen their delegate from oppression. They left him to his fate; and talked—and talked.—A mock reconciliation afterwards ensued, which was soon followed by a second censure, or a subtraction of powers; *because* when the story of the reconciliation was circulated in a manner that reflected on the probity of Mr. Wilks, he judged it proper to tell an unvarnished tale.

Thirteen clergymen only of the county of Stafford, (whose conduct shall not be omitted in a history that has recorded the prowess of their predecessors, and particularly the act of the thirteen worthies in their *protestation of allegiance* to Elizabeth),* thirteen clergymen only of the county of Stafford felt the injury offered to their delegate, and resolved to make his cause their own. They had viewed with pain the infliction of the first censure, to their apprehension, *unjust* for want of matter, *illegal* for want of form, and therefore in itself *null*; and they had trusted, that a general *remonstrance* would have been signed against the measure. A reconciliation, however, took place between
Mr.

Is supported
by a few of
the clergy.

* See p. 69.

Mr. Wilks and his superior; when welcoming, as they thought, the return of peace, to it they sacrificed every other interest, and suspended all resentment. The peace they had welcomed was an illusory appearance; for, in a few weeks, they understood, that Mr. Wilks was again deprived of his parochial powers in the city of Bath, and in the western district. On this they prepared an *address* to the Catholic clergy of England, which they signed, and circulated.

In this address they endeavour to shew, from the rules laid down by canonists, that the last punishment inflicted on their delegate was *arbitrary, unjust, and uncanonical*: for no *citation* had preceded the sentence; in it was no *expression of the cause*, unless in vague and undeterminate words; the sufferer had been guilty of no *grievous crime*, attended by *contumacy*. These three articles they specifically examine.* And having stated what is their belief in regard to the rights of *episcopacy* and the *priesthood*, they lament that perturbed situation of things, which will not permit us, *in all cases*, to be governed agreeably to the rules of other churches, and close, in their own names, and, as far as may be, in the names of the Catholic clergy of England, in their own behalf and in behalf of their successors,

* *Address to the Catholic clergy.*

cessors, with a *solemn protest* against the measure.—The *address* is dated Jan. 26, 1792.

The clergy of Staffordshire had flattered themselves, that, as the rights of the priesthood were obviously involved in the present question, to vindicate which from oppression and to impede the establishment of a dangerous precedent, was the leading motive of their conduct, they should be actively joined by the secular clergy of all the districts. Again they were mistaken. In the spring an *answer* was published to their *address*, signed by thirty three names, chiefly from the western district, a motley congregation, among whom a few of the old secular clergy were thinly scattered. This I notice; because as long as the regulars plead an exemption from episcopal jurisdiction, and are governed by their own laws, so long we admit not them as judges of what may or may not be the rights of the secular priesthood, of what is or is not, in our estimation, oppressive and uncanonical. Those exemptions are maintained in the *tract* before me. Mr. Wilks, it is true, is a regular, but we viewed him, I have observed, as our delegate to the committee; for the discharge of our trust he suffered; and therefore, it was our duty not to desert him. He was the delegate also from the regulars; and they will say why, in his regard, they permitted even their own exemptions and the rules

They are opposed from the western district.

rules of his order, to be violated. Unfortunately for him, he espoused that side of the question which many of the regulars, some particularly, reprobated, and the sentence against him came from a brother's hand.

The answer from the western district examined.

The *answer* to the *address* is a remarkable composition, not from its style which merits praise, but from its artifice and affected candour that merit censure. To the school, whence much of it flowed, I could point with certainty.

We had most unaffectedly styled ourselves the *Catholic clergy of the county of Stafford*, to designate who we were.—The *answerers* cannot allow the appellation; it establishes, they say, a collective capacity unknown to them; and they tremble, if it be admitted, for the peace and welfare of their church!

Speaking of the first censure on Mr. Wilks, we pronounced it to be *unjust, illegal*, and therefore *null*. The *nullity* of such censures is maintained by all canonists, and particularly by him we quoted. But we did not say, that submission was not often due to an *illegal* sentence, from motives of subordination and the danger of scandal.—The *answerers* impute this assertion to us; and they do it, to enforce a grave admonition founded on the most ludicrous conceit. We had exposed ourselves, they say, (by

a declaration we never made) to the horrid imputation of admitting “ the ninety-first *proposition* among the hundred and one of the noted Paschasius Quenell* condemned by the church!”—*Risum teneatis*.

We had said in regard to that censure, that an *appeal* to a *superior tribunal* was in actual force, when the *inferior judge* (bishop Walmesley) pronounced it.—The *answerers* ask with seeming surprise, having given the definition of an *appeal* and the formalities that attend it, if we mean the act of *protest* and *appeal*, signed by the committee, in the month of February, 1791?—We meant that precise *act*, because it specifically *protested* against and *appealed* from those encyclical letters,† or *ordinances of apostolic vicars*, for *non-submission* to which, as the words of the censure pronounce, Mr. Wilks was suspended. He was the victim, it seems, to the collected repentment of the venerable triumvirate.‡ What formalities

* Quenell, a man of many virtues and of great learning, was an honest *Jansenist*, who died in 1719, anathematized by Rome, and persecuted, for the excrescences of a wild imagination, by kings, priests, and Jesuits!

† *Second letter*, p. 30.

‡ A writer whom I wish not to notice, but who on this subject, I presume, is well informed, has very lately declared, that the *ground-work* of the censure on Mr. Wilks was the *requisition* of the *bishops* made March 8, 1791. March should be February, or the supposed *ground-work* of the censure will have been eleven days *posterior* to it. The censure is dated February 19. But is the

formalities he neglected, or what formalities, in this curious act, they adhered to, he and they must explain.

Now comes the grand display of theological research.—We had spoken of the withdrawing the *parochial faculties* of Mr. Wilks, in the second sentence, as of the canonical censure of suspension; we had denominated it such; and to it as such we had applied the rules of canonists.—The *answerers* are astonished. The subtraction of faculties, they say, is no censure, because it is not the taking away of that to which the priest had any *right*; but merely the withdrawing of a commission that was *freely* delegated, and may as *freely* be withheld. And of this kind, they add, are the missionary faculties of priests in this kingdom, subject to the “arbitrary and unqualified pleasure of our bishops.” They then quote their canonist to shew, that bishops are endowed with this discretionary power.

I admit the reasoning, in the sense of the canonists; but I deny its application to England. And this is the essential error, to use their own language, that pervades their whole argument.

the accurate man also aware, that the bishops he speaks of were those of London and the north, for opposing whose *Requisition*, he will hardly, I think, maintain, Mr. Wilks, the subject of another superior, could be *canonically* suspended. Yet this he equivalently asserts.

argument. They confound two things that are palpably distinct, that is, the situation of the priesthood in this country, and that of auxiliary or itinerant regulars and priests abroad. From these, undoubtedly, what has been *freely* given may be *freely* withdrawn, nor by the act is any injury done to them, for the law supposes them otherwise provided for; nor is any injury done to the people, who otherwise enjoy the benefit of their immediate pastors. But here, the moment faculties are withdrawn, all means of subsistence are at an end; and the flock is without a pastor. I will allow, from an irregularity that the times have introduced, that our cures are not strictly *parochial*, and that the powers of our ministry, by an *abuse* which acquiescence has sanctioned, are *delegated* to us. Still we are not in the state which canonists describe, and to which state alone their reasoning applies. Wherefore, in a just appreciation of our peculiar circumstances, it should be said, rather that we resemble a parochial clergy, and are entitled to its rights, than the precarious ministry in question. And our vicars, I will add, if they reasoned justly and valued the honour of our church, would endeavour to strengthen this arrangement, and to give it all possible validity; and not aim at an arbitrary jurisdiction over men, who bear the burthen and heat of the day. Their own commission, it is true, is *delegated*, and revocable at the will of his holiness; but
shall

shall one abuse sanctify another? Besides, as I have elsewhere observed, the inferior priesthood of this country has existed in an unbroken succession, from the times of their Catholic ancestors, and oppression from penal statutes and the prejudices of men, not a regular system of altered discipline, has entailed dependence on them. With the clergy then alone, in my estimation, rests the choice of withdrawing their acquiescence from a system irregular and abusive, and of vindicating to themselves the canonical rights of a parochial ministry.

But as things are, it will be said, can the subtraction of faculties, with any propriety, be termed a censure?—Most certainly it can: for it takes from the incumbent not his *jurisdiction* only, to which, it is by some pretended, he had no *right*, but also his *benefice* or means of subsistence. Now the censure of *suspension* is generally defined to be, “an ecclesiastical punishment, whereby a clerk is deprived of the exercise of his *order*, or his *jurisdiction*, or the use of his *benefice*.” It deprives him also of another possession more valuable than the other three, that is, his good name.—Let me then ask, whether we are really so debased in our condition, as to have no *title* to a *maintenance*, none to *reputation*; but that these may be sported with at pleasure, under the plea that our missionary faculties, with the exercise of which our bread

bread and fame, in this country, are connected, were a commission voluntarily delegated. A regular abroad has his commission withdrawn, and he retires to his convent; a secular priest has his patrimony. Once for all I will observe, that the rules of canonists, perhaps, neither apply, nor were they meant to apply to our condition; or if they do they rather establish than weaken our parochial capacity. But there is a *spirit* as well as a *letter* in the law; and though the letter may not always speak in our favour, the former does, and by this we should be guided. Agreeably to this spirit, no pastor can be removed from his charge, without having been guilty of some crime that rendered him unworthy of it; nor lose his means of subsistence, or be injured in his fame, at the discretionary, perhaps, the wanton or resentful will of a superior.

Nor is it a new claim we make. The old clergy of this kingdom, at all times, maintained it, and it has been made the rule of practice. We were therefore authorised to say as we did, “Whenever an instance of the contrary practice has happened, the general voice, we know, has pronounced it to be arbitrary, oppressive, and irregular.” Truly, it makes me smile, to read in the *answer* many passages inculcating almost a blind obedience to episcopal mandates, and that from men, the majority of whose ancestors,

cestors, if not themselves, have resisted, in defence of idle immunities, the *canonical jurisdiction* of bishops, in all times, and in all seasons. I will refer them to an authority they profess to respect. When the brief of 1745 decrees that regulars may be suspended from *their faculties* (*ab exercitio facultatum*) by their respective vicars *for lawful causes* (*legitimis causis*), is that, I will ask, to erect an *arbitrary* tribunal? And bishop Stonor in explaining to his clergy the brief of 1753 says: “ If he, against whom a complaint is lodged, “ be a secular, let all things be done according “ to the *general rule* of ecclesiastical discipline.”

The remaining pages of the *answer* chiefly regarding the personal conduct of Mr. Wilks, I leave them to his discussion when he shall be returned, if ever he be permitted to return, from exile. One passage only calls for notice.—We had observed from the canonist we quoted, that the judge who should violate the formalities to be observed in the infliction of censures, “ is “ himself, *ipso facto*, to be suspended from the “ services and offices of the church.”—The *answerers* rebuke us, as we meant the text to apply to the vicar who had, *uncanonically* we judged it, suspended Mr. Wilks, and they refer us to a statute which exempts *bishops* from the penalty.—We knew that statute; but we did not know that *vicars apostolic*, in the eye of the law, were *bishops*, particularly as a layman may be raised to the

the dignity: And Benedict XIV. in his brief of 1753, addressing himself to these vicars says, "but, at this time, there are *no bishops* in England."*

To the *answer* is subjoined an invaluable letter from Cardinal Antonelli, president of the congregation de Prop. fid. to the Right Rev. Charles Walmesley, in approbation of the conduct he had pursued towards Mr. Wilks. It shall have a place here, as a standing monument of that interference in all our concerns, which I have deplored, and of our utter dependence on a foreign court. The style, as the editor observes, is most flattering.

" *Most illustrious and most Reverend Sir, as our*
" *Brother.*"

" Your Grandeur's dispatches of the 18th
" of October of the foregoing year afforded singular satisfaction to their eminences, the fathers of the congregation; in as much as they
" not only informed us of the present successful state of religion in the kingdom of England; but that you had subdued the boldness
" of the missionary Joseph Wilks, who, in conjunction with others, had protested against the
" encyclical letters of the apostolical vicars con-

“ demning that known form of oath proposed
 “ for the Catholics. Your conduct in compelling
 “ that person, by means of ecclesiastical penalties,
 “ to return to his duty, and make the
 “ necessary recantation was so approved by their
 “ eminencies, the fathers of the congregation,
 “ that they judged it suitable to decree to you,
 “ for such behaviour, their just and honourable
 “ congratulations.”

“ I am your Grandeur's Brother,

“ *L. Card. Antonelli, president.*”

Rome, *March* 10, 1792.

C O N C L U S I O N.

Reflections
on our present
situation.

THROUGH a period of two hundred
 and thirty four years, from the beginning of
 Elizabeth to the present time, I have exhibited
 a short, but accurate, view of the sufferings, the
 troubles, the dissensions, the hopes, the fears of
 a society by their enemies termed *Papists*, by
 themselves *Catholics*, and whom Providence, by
 an intervention almost miraculous, has preserved
 from utter extinction. They are the venerable
 ruins of a majestic church, that once filled the
 extent of our island, that civilised its rude in-
 habitants,

habitants, planting in their minds the seeds of virtue, and with them the seeds of Christian faith. The perils they have gone through were many; and they may now look back from the port, and recount them; for by the statute of 1791, the grievances that oppressed us most are removed. Our situation being thus really and relatively meliorated, new duties have arisen with the change, because we have acquired new powers, and new means of exertion. The proper use of these means, and the exercise of our powers, will give us additional consequence in the estimation of our fellow citizens, and render us deserving not of further indulgence only, but apt also to the display of a more dignified conduct in the participation of common rights. When oppression weighed us down, and a general discountenance damped exertion, the efforts of the mind were languid, and no prospects opened to success, or even invited to enterprise.

The situation, in which we now stand, should, therefore, be maturely weighed, and every measure be adopted that may be best calculated to multiply its advantages and to develop its energies. It would surely be absurd, when obstacles are removed, to sit down as listless and unconcerned, as when barriers, surmountable by no effort, lay heaped before us. And I know of no reflection better suited to lead us right, or to

point out what should be avoided, and what embraced, than that which our own history presents to the reader's mind. That history tells him, what were the impediments, the statutes of the realm laid in his way;—of these statutes he knows which are removed: that history tells him, what once were the prejudices of the multitude, against which it was not possible to advance;—he knows that of these prejudices the heavier weight is dispelled: that history tells him, how unceasing were the internal dissensions that corroded the peace, and deadened the exertions of the community, and it tells him what were the certain sources of those dissensions;—he knows that means are now before him, whereby all those sources may be dried up, never, as far as human foresight can calculate, to flow again: In a word, his own history will be a sure monitor, if he listen to her counsels; and with that view, I laid the page before him.

Education
should be
adapted to it.

I stated the origin, and I followed the progress of our foreign seminaries, the establishment of which I deplored, as they were not adapted, I thought, to the genius of Englishmen, as they created a dependence on the Roman court which operated fatally, and as they soon began, and continued to be, a popular and plausible, if not a well-grounded, pretext for suspicions and hurtful imputations.

They

They also, by engendering partial interests and partial views, were almost the sole and original causes of the bad spirit that divided us. But if, at all times, those establishments were productive of *some* evil, and never productive of *all* the good that might have been obtained at home, why should they be longer supported, when the very motive of their foundation, namely, the supposition that they would not be permitted at home, subsists no more? It is true, a proviso of the last act prohibits the endowment of schools and seminaries; but a repeal of the clause might be easily obtained, or a specific act for the purpose, if judged more expedient,

I know not what it is, but the prejudice of habit, that can attach us to our foreign education. When abstractedly considered, we deplore it, as our ancestors did, as a grievance: but no sooner is a proposal, however remote, made for its suppression, than the grievance is converted into a blessing, on which the very existence of our religion is said to depend, and which, on no consideration must be surrendered. And what is that education so exclusively advantageous, that nothing can compensate for its loss? And how is the existence of religion connected with it?—The *education*, I admit, were education nothing more than a school of moral virtue, is not, was not, at least, blameable; but

but if education be taken, as it should be, in its comprehensive acceptation, as combining a system of universal instruction, I will be bold to say, that, as it was practised in our foreign seminaries, it was extremely defective. However, defective or perfect, it will be enough to shew, that *as much* at least may be done at home; for then the other considerations, whether of economy, of native character, of patriotic propensions, of the acquirement of the language and habits of Englishmen, will throw into the scale a preponderating weight.—And as to *religion*, I am amazed the objection can be urged by any man who knew what our situation was. He would know, we were secluded from the citizens of our towns, and that of the practice of religion we only beheld its shews and pageantry, which had better been hidden from us. But why, let me ask, should not religion be taught where it will be practised, and in the language also and the usages of that practice? It is a worthless compliment to the evidence of our faith, to imagine, that its existence, or even its lustre, must depend on climate or the influence of walls.

At all events, be it allowed, that those establishments, in their origin, were dictated by dire necessity, and that they were productive, in their progress, of great good, being conducted by wisdom, and animated by the purest views. But are they adapted to our altered and improved

proved state? — We associate freely with the world, where other manners and other learning, of a more refined and miscellaneous character, are necessary, than what we formerly imported, learning that was confined and scholastic, manners that were uncouth and repulsive. I shall surely be understood, to speak only of such learning as improves and exalts, of such manners as, by embellishing, give a charm to virtue.

In discharging the public offices of religion, we are now exposed to observation; for our chapels are open, and curiosity, if not devotion, prompts many to enter. — We can, therefore, no longer, with credit to our ministry, be neglectful, precipitate, or heedless as many formerly were; but a deeper sense of religion will be impressed from attention to its offices, and more dignity, more recollection, more external piety, at least, will accompany the service. I will add, (and here rests the chief importance,) from the circumstance of the publicity of our service, our own language must be more cultivated, and a greater facility of expression and perspicuity of elocution acquired, than at a distance from our own country, and in the habits of speaking dead or foreign languages, were possibly attainable. Could there be a greater absurdity than to cultivate that tongue least, which afterwards must be the vehicle of our thoughts? Or in how low an estimation, must even religion and its sacred truths

truths have been held, when no care was taken to qualify their ministers to recommend that religion by a display of its evidence, and to imprint those truths by enforcing their sublimity or their moral excellence? The error lay in the plan of education; nor could it be well surmounted.

A scheme
proposed.

We have abroad, in different countries, in France, Flanders, Germany, Spain, Portugal, and Italy, houses of education. Few of them are rich: the revenues of some are principally drawn from the countries where they are established, being the donations of former charities, and therefore not to be removed: but the chief property of most is vested in the English funds or in English securities. To judge from the spreading torrent of politics, not in France only but in other countries, which no combination of kings will be able long to stem, great changes, in a few years, must take place on the continent of Europe. But in the view of such changes, what prudent Englishman will not, before the day, look to his own country for an asylum, the land of tranquil liberty, which no innovations will convulse, if its governors, learning prudence from the misfortunes of others, shall make a timely reform by an alleviation of every grievance and a suppression of every abuse. Had our countrymen, settled in France, whom an early notice, I know, warned, practised this salutary

salutary measure, they would have avoided many evils, and have secured much property that must now be lost. I will, therefore, suppose, if the choice be not in time spontaneously made, that events of no distant period will dissolve our foreign establishments, dissipate their revenues, and disperse their members. If advice can be necessary, I advise that prudence, from this moment, direct their counsels, and energy invigorate their resolutions.

In this state of things, the probable issue of which no obstinacy will controvert, three measures of an interesting magnitude present themselves. First, to draw into this country whatever property can be withdrawn from our foreign establishments, and that as expeditiously as may be;—Secondly, to concentrate all our strength;—and thirdly, to adopt such means as, with the sanction of parliament, shall be thought most conducive to the establishment of one or more houses of education, on the broadest basis and on the most enlightened plan. Thus will a foundation at once be laid, on which may be secured the sacred interests of religion, education prepared for our youth, the seeds planted that shall improve our general character and exalt it, and finally good be drawn from evil, unanimity from discord, strength from divided weakness.

But is our schemer aware, will the reader say, of those differences of orders, monks, Dominicans,

minicans, Franciscans, Carmes, which have hitherto subsisted, and do subsist, whose interests are various, whose views diverge, and whom no event, it seems, can ever call together? Is he aware, that the disciples of Ignatius, though deprived of their former name, and by a papal mandate, released from every tie of the institute, are not less, than they were, an insulated body, whom former jealousies seem to animate, or whom, at least, no common interest has hitherto seemed to lead to a cordial union with their elder brethren? Is he aware of all the dissensions, controversies, bickerings, which, from whatever causes they may have sprung, have generated a repellant character, that the lapse of many years, and the efforts of candour and benevolence, will not be able utterly to eradicate?

Of all this the schemer is aware, and therefore does he prescribe a remedy to the evil. He will dry up the very source, and cause a purer stream to flow, whence harmony shall spring, and its attendant blessings, success and happiness.—I admit the existence, and the discordant views ascribed to them, of our different orders. But they have seen their closing day in France, and, in other countries, the same fate will soon attend them. Where then lies the difficulty of sacrificing distinctions that will be but ideal, and of throwing into a common treasury

treasury, on the noblest of motives, their remaining wishes, and such property as may survive the wreck?—The ex-jesuits, animated by the laudable example, will be induced, I am sure, to follow it. —And as to the general causes of division, when variety of colours and appellations, when scholastic disputes, when domestic views, when mutual jealousies which occasioned them, have ceased to operate, we may look for a reunion of sentiments and the preponderating influence of worthier motives.

I therefore propose, from a conviction of its expedience, and the ease that will attend the execution, the measure of forming establishments at home, on the basis, I have suggested, of one grand and comprehensive plan, that shall annihilate every former distinction, and views of party, consolidating all our property into one mass, and our different orders into one body of secular clergy.

A second measure, not unconnected with the first, is also before me.

The reader will recollect the origin of our church establishment: he will recollect how adverse it was to the wishes and efforts of the clergy, and how reluctantly they acquiesced in the arrangement. He will also be sensible of that dependence on the court of Rome which it entailed on us; and how indecorous in itself
and

Evils of our
church go-
vernment.

and inconsistent with the free spirit of Christian discipline, and the dignity of a venerable church, that dependence is, and has been. But if the clergy, more than a hundred years ago, on the clearest convincement of its expedience, strove to procure a regular hierarchy, when their situation was such as I described it, full of perils, uncertainty, and troubles, what should our thoughts and language be? I am disposed to allow, from the characters of the men raised to the vicariate, that many of the evils did not ensue, which the clergy had predicted; and that, from the state of oppression under which our fathers lived, the establishment of an ordinary episcopal government would have brought with it, perhaps, no peculiar advantage. But was the abuse for this less flagrant? And why were we to be singled out as a rickety and degenerate race of Christians, whose back-strings the pontiff only must direct or his sacred congregation? It might be, and the friends to absolute monarchy should patronise the measure, it might be, that, the whole church could be equally well governed by pontifical lieutenants, deputed with co-ordinate and revocable commissions. Yet the primitive institution should not, therefore, be annulled: and why then annulled in our regard?

I drop all consideration of any irregularity in the first appointment of our vicars apostolic,
and

and of all the good or evil which, in the course of a hundred years, the arrangement has produced.—But when long usages have functioned a measure, it will be more prudent, some may think, to retain it, than by attempting a change to risk the evils of innovation.—I would subscribe to the caution, were these evils certain, or were not what is meant to be reformed itself a palpable abuse, and invariably productive of, or itself accompanied by, evils. I will enumerate these evils as they exist in 1793.

But first, that the government by *vicars* is *abusive* will hardly, I think, be denied, when the institution by Christ, as we conceive it, of ordinary episcopacy is admitted, from which that of vicars is a plain, and not a *necessary*, deviation.—Its evils are: First, *dependence* on the Roman court, or rather, on one of its congregations.—So entire is this dependence, as to the vicars whole commission and its exercise, that the *placita curiæ Romanæ* are the sole rule of their conduct, of which conduct and of all persons and concerns subject to their inspection, they are bound, at stated times, to give in an account. It is pretended, I know, that the vicars possess some powers which ordinaries have not, and therefore that advantage and even an additional dignity are annexed to the office. The circumstance of these *extraordinary* powers only the more strengthens their dependence, pointing

ing to the sacred congregation, as to an indulgent parent that commands even the gratitude of its votaries.

Secondly, an *arbitrary* mode of governing: The vicars, themselves dependent, and subject to an *arbitrary* controul, affect a pre-eminence of jurisdiction above the ordinary rules of discipline, and maintain that they are accountable only to their sovereign lord, for their words and actions, in their vicarial capacity. “Be-
“ cause you maintain principles *that I disapprove,*” said the senior vicar to Mr. Wilks,
“ I declare your missionary faculties to cease.”
“ Nor was I bound to give any reason at all,” he afterwards observed, “ either by ecclesiastical law or practice of the mission;” * grounding this arbitrary declaration on the *placita curiæ Romanæ*, that as his own powers were revocable at will, so were those of his clergy. He can, therefore, force a beloved pastor from his flock, reduce him to penury, and blast, as far as may be, his name, under the prerogative of despots, *tel est notre plaisir!*

Thirdly, The want of *subordination* or of a *metropolitan* head.—The four vicars, it has been long ago observed, go equally abreast, without any mutual relation, coherence, or order among them.

* Pamphlet of the Mediators, p. 17.

them. And though the arrangement may answer well the purposes of dependence, for which it was established, it has no resemblance, we may safely pronounce, in the Christian church, where all the ministers link into unity by a just gradation. Some head seems essential to every government, where the levelling principle of *liberty and equality* is not admitted; and that headship is as necessary to the due administration of the governors, as to the well being of the governed. Where governors for their actions are only accountable to a distant master, liable to be imposed on by false representations, and judging from report, how perturbed, how loose, how precarious, how feeble must such administrations be. Besides, where all are equal, there is no tribunal of *appeal*; no remedy for the redress of grievances; no regulating power when the master-wheels of the machine are themselves deranged. A metropolitan in every church has been established, as essential to its government. But with a glance it may be seen, why we are thus disorganized. It is that Rome may be our hand, our foot, our eye; that in her we may live, and move, and have our being.

Fourthly, their *election* without the consent of the clergy they are sent to govern.—This is the master evil, because by a prudent choice we could, in part, provide against the evils I have

have enumerated. But the flock, in the maxims of the Roman court, was made for the pastor, not the pastor for the flock. Hence, not only is our consent not asked, or our wishes explored: even vicars have been appointed notoriously adverse to the express and known desires of the clergy. Nothing remains to complete the degrading insult, than that Rome should give us an Italian, that Italian a layman.

But let it not be supposed, however severe I may be against the principle, and the occasional or possible application of it, that I mean to insinuate the most distant reflection on those venerable men who have been called to the office. I revere the evangelical virtues of some; I admire the learning of others; and the piety of all, I believe, was exemplary and genuine. From them, therefore, has the employment, which, from its opposition to the sound maxims of antiquity, I deem abusive and degrading, received a lustre; and in this only I think them censurable, that Mr. Leyburn, the first vicar, did not refuse the extraordinary ministry, and that his successors, while, from motives of some public utility, they submitted to the charge, did not, at the same time, enter their solemn protest against it, as humiliating to their church and subversive of the order of the hierarchy. Certainly, if in any department of life, the sentiments of men should be collected as
a guide

a guide to the choice of officers to preside over them, in none is it so necessary as in that of religion, where mutual confidence must be found, and reciprocal returns, or the great benefits of instruction and advice, reprehension and praise will be lost or much obstructed. I have heard of vicars who, in a codicil to their wills, bequeathed their extensive flocks as a part of their live stock, recommending the man of their private choice to the favour of the sacred congregation.

These are the most prominent evils of our church establishment, and they are abundant. The experience of them has long excited murmurs, and recently application was made, by some gentlemen of our late committee, to the vicars themselves, "that they would exert their endeavours to procure, that in future the ecclesiastical government in this country, may be settled according to the known rules and canons of the Catholic church, by which the clergy may possess the rights of a parochial clergy."* —I admire the zeal of these gentlemen; but not, in this instance, their wisdom: for when was it known, that men ever seriously undertook the reform of abuses, whence the eminence of their own stations is alone derived?—

Proposals for
its reform.

* *Pamphlet of the Mediators*, p. 13.

The vicars, as was natural, answered, “ that
 “ the subject required the most mature delibe-
 “ ration; that they will give it their very se-
 “ rious attention, and report their opinions
 “ thereon in the course of three months, tho’
 “ they fear that such a measure is not practica-
 “ ble under the present circumstances.”* The
 three months are gone, and they have, doubt-
 less, reported their opinion. I have never asked
 what it was, as I know it must be comprised in
 the last line of their answer: “ The measure is
 not practicable under the present circumstances.”

I would not willingly propose a measure that
 should give pain, much less that should have a
 tendency to lower that respect which is ever
 due, I think, to rulers, and who, though they
 may feel gratification in the exercise of power,
 must still experience uneasiness and many afflict-
 ing cares. But I have shewn how abusive the
 government of our church is, and what are its
 evils. Will it be said, that they are not of a
 magnitude to call for redress? Will it be said,
 that what our ancestors *acquiesced* in, we should
 not attempt to *reform*?

Our vicars have said, “ That they fear the
 “ measure is not practicable under the present
 “ circumstances.”—May I ask on what that
 fear is grounded? What view they have taken
 of

* Pamphlet of the Mediators, p. 18.

of these circumstances? What portion of serious attention they gave to the subject, which required, they acknowledged, the most mature deliberation? For, in my estimation, their fear is without cause; and the present circumstances are most propitious. At what time, were the prejudices of the public less inveterate; the dispositions of government more favourable; the pretensions of Rome less overbearing; our own condition more flattering and secure? But our vicars, I know, some of them, are haunted by idle apprehensions. They permit men to obsess their ears, who alarm them with the tale, of designs formed against episcopal government, of attempts to introduce the *constitution civile* of the French assembly, of machinations for the overthrow of the whole jurisdiction of Rome, of a settled plan to weaken, and then to exterminate the faith of our ancestors. Such things have been told them; and, at a time, when credulity is proclaimed to be the test of patriotism,* can we be much surpris'd, if our vicars took the

* "There are seasons of believing, as well as of disbelieving; and believing was then so much in season, that improbabilities or inconsistencies were little considered. Nor was it safe so much as to make reflections on them." So observed bishop Burnet, speaking of the times of Oates's plot; and as we seem to live in a season (the beginning of 1793,) when *believing* is equally in fashion, may it not be inferred, that there is a certain rotation in human events, and that mankind will again be involved in all the chaos of former errors and former ignorance?

contagion, and believed what they heard? Under the impression of those horrors, vain as the dreams of the morning, it was, that they returned their answer: "*We fear such a measure is not practicable under the present circumstances.*"

Character of
bishop Talbot.

Let it not be thought, that I involve all the vicars in this censure, if a censure it may be called; nor that when I spoke of arbitrary conduct and a disregard of the rights of the priesthood, it was my intention to cast a general blame. One,* at least, there is who merits no such censure, no such imputations. He is prudent, beneficent, mild. His peace is not alarmed by jealousies, nor the forebodings of credulity; for in the evidence of religion he sees an anchor, in the professions of honest men a sufficient security, and in the general aspect no cause for fear. In him his clergy witness no pageantry, no needless display of power. They obey from duty and the impression of filial love; nor do they know they have a ruler, but by the experience of those generous and parental acts which station empowers that ruler to perform. We beheld, through the progress of the late controversy, his wisdom matured by years, under the reproaches of party zeal his forbearance, at all times his love of peace ardent and unshaken.

Convinced

* Uncle to the present Earl of Shrewsbury.

Plan for a re-
form sketched.

Convinced then, that the present circumstances are as adapted to the reform we meditate, as the most sanguine mind could have wished, what remains to be done? The vicars, we may be assured, will never confess the time is proper; or, should they be prevailed on to carry a supplication to the foot of the pontiff, so hesitating would its language be, so courtly, so unimpressive, that the sacred congregation also would be induced to "*fear* that the measure was not practicable under the present circumstances."

The clergy, who feel the grievance most, are most adequate to its reform. They are versed in the history of other ages; they know what their discipline was, what abuses deformed that discipline, and what means the sages of better days would have used in the correction of those abuses. From them they will have learned a manly firmness, unabashed by the obstacles of frowns or menaces, tempered by mildness and the forbearances of an untired patience. Were I to speak to them of violence, they would condemn me; of secret combinations, they would not listen; of artifice, they would repel the insidious proposal. They shall undertake the reform then in their own way, and, if my advice can prevail, they shall accomplish it.

I advise

I advise that, in each district, a few meet, impressed as I am with the importance and expedience of the measure; that they discuss the subject in an accurate and comprehensive manner, taking in all its views, its relations, and its various bearings; that they commit to writing a sketch of their thoughts; and that the vicar apostolic be immediately waited on.

To him they will communicate those thoughts, entering more at large on the subject; and having listened to his questions, his objections, his difficulties, and replied to them, they will entreat his co-operation and support, stating that they earnestly wish for both, as the best aids to their plan, and the vouchers of their moderation and unambitious views. I will not suppose, that the vicars can decline this honourable call on their ministry and their professions of attachment to ecclesiastical discipline.

The same sketch of thoughts must then, by letter, be communicated to each clergyman in the district, with an intimation of what has been done, and of the vicar's wishes to co-operate. It would be well, therefore, that his signature, or some unequivocal expression of his intentions, accompanied these letters.

The sentiments of the body being collected from their answers, it will only remain to prepare

pare the form of a *supplication* to be presented to his holiness; and this form must also be previously submitted to general inspection, and particularly to the examination of the vicar, if he has not himself been the principal author of it. The form, when approved, or returned with such criticisms as may add to its accuracy and complete the whole, will be ready to receive such signatures as may be judged most proper to establish its validity, and make it speak the universal voice of the district.

The *supplication*, without the circumlocution of empty phrases, shall state, what, from the time of its sacred institution, is and has been, in regard to episcopal government, the discipline of the church; when and how it happened, that a government so well adapted to the exigences of a christian people, was suspended in the kingdom of England; how unceasing, for many years, were the efforts of the clergy to bring back the salutary institution; that Rome, ever deaf to their prayers, finally forced on them vicars apostolic, contrary to the express desires and the known reclamation of the same clergy; what are the evils of a vicarious government; that the clergy, notwithstanding these evils, from motives of a laudable submission, had acquiesced in the arrangement; that now we are no longer the oppressed people that we were, and that our altered state calls for a more regular and independent

pendent establishment; that a government by vicars apostolic is no longer agreeable to us; and that we pray for its suppression, and the restoration of an ordinary episcopal hierarchy.

Rome will listen to this *supplication*, and grant it's prayer: The childish objections from want of fees will be removed: The vicars apostolic, by an easy transmutation, will be raised into bishops of districts, unless they prefer their Asiatic appellations, and the care of imaginary flocks: Chapters will be erected in each district: Our church will be reorganized: And with it will return the blessings of a renovated christian society.

The directions I presumed to suggest to one district, must be understood to belong to all. They will correspond by an easy communication of opinions; the same plan will be established; and one *supplication* formed upon a decided and unequivocal enunciation of sentiments.

I have proposed the free expression of my thoughts; and in this I have done my duty. My brethren will weigh them in their wisdom, and approve or reject of them what portion they may please. I have pointed out the evils in our foreign education and in our domestic economy; and I have attempted to shew by what means those evils may be surmounted;
and

and their sources converted into sources of improvement and felicity. Establishments or modes of life that were once, perhaps, not so undapted to our circumstances, at present, when those circumstances are altered, should no longer be retained. This I wished to impress, and with it the important lesson, that there is a flow in human events, on an active attention to which our own success depends, and the progress of future generations.

Here also I close the sketch, perfect as I could make it, of the *history* of the troubles of my own society. And such, generally, is the history of man. But a dayspring opens before me, and I will not cloud it, as is the practice of prophets, with any visionary forebodings of untoward events from the inveteracy of habits, the prepossessions of a fancied excellence, the general errors of education. Rather let me indulge the hope, that a society which has survived the pressure of an unexampled series of storms, is destined for a happier duration, that in that duration it will gather strength, and in that strength prosper.

THE END.











